H-FILE

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SOCAIL JUSTICE IRISH STYLE AND THE FAILURE OF THE DEMOCRATIC PROCESS IN IRELAND

In this file, I will demonstrate through various documents, a clear indictment on the organs of democracy and its processes within Irish Society, due to the many unjust biases, which have been disregarded by decision makers, within the civil service.

It has yet to be acknowledged that the consistent omission of truthful facts, termed as "clerical errors" is indeed implausible, dismissive, and obstructive to quality of life.

The Irish Government endeavours to pontificate the values of Democracy to the world, when their own house is not in order, and the watchdogs within our own society fail to perform their duty, for which they are comfortably paid with pensions to boot.

I have participated on the "*Merry-go-round of democratic due process*" and have found it to be nothing more than a parasitical farse, in where the Professional Class, who cosily transfer between state and semi-state departments, can potentially be tasked with investigating their former colleagues. The usual outcome of course, concludes with no wrong done, on behalf of their fellow tribesmen, no matter how damming the evidence.

Since I began highlighting unconstitutional hypocrisies, in defence of our Christian Republic, via correspondence and Supreme court applications I have found my personal safety to be jeopardised, due to the unsought attention of corrupt Gardai and their ilk, in where I have been unlawfully arrested, imprisoned, with attempted convictions, based on trumped up charges. Which has had a damaging impact in many areas of my personal and professional life.

Cul-de-sac of dismissal

When bringing this corruption to the attention of Justice Minister Helen McEntee, she bizarrely advised me to report any concerns I have with An Gardai and GSOC. However, she failed to grasp, that they are the cause of such concerns, for which I have provided documentation to substantiate.

Evidently, Irish Justice is not blind, but is gifted with 20/20 vision.

This H-File was sent to the following people with An Post Tracking,

Micheal Martin **RL 530 010 889 IE**
Darragh O Brien **RL 530 010 861 IE**
Helen McEntee **RL 530 010 946 IE**
Pearse Doherty **RL 530 010 950 IE** (No Response)
Richard Boyd Barrett **RL 530 010 858 IE** (No Response)
Liam Herrick **RL 530 010 977 IE** (No Response)

Emmett Corbett

Cork

Friday the 29TH Day of April 2022

Ministers Reference: DJE-MO-03247-2022

Dear Micheal Martin,

I am writing to you concerning the above reference, which relates to a H-file I had sent you on the 4th of March, in where I had expressed my concerns about my personal safety and abuse of authority by various state bodies, responsible for a series of consistent clerical errors, to my detriment.

I was hoping by highlighting such a serious matter with you, that it would be promptly delt with, but to my disappointment, this has not been the case.

The file in question, has to be considered in full, as each individual clerical error, can be routinely dismissed as an isolated case.

However, when examining the documentation in the round, one can easily see, that the claim of innocent clerical errors, is indeed implausible, and I have provided evidence to substantiate and affirm otherwise.

That being:

1. A clerical error, where my gender was allegedly entered incorrectly as female, which resulted in five days in prison, for a €100.
2. A High Hearing, where my representation, made a clerical error, of not furnishing the respondent with crucial evidence, which resulted in my case being thrown out, deprived of any accountability, as to how such a thing could happen.
3. Being sent only a partial file, by An Garda Siochana when applying for my file under data protection, due to a clerical error.
4. Being arrested by armed ERU Gardai, and searched for offences against the State, 5 months after I had written to a chief Superintendent concerning a constitutional matter.
5. Being wrongly convicted for threatening and abusive behaviour, in the Cork District court, and then having the allegation upgraded to assault in the Appeals court.

6. Having been associated with subversive activities, and assaulting Gardai in the newspaper, which has impacted greatly on my quality of life, too date.

7. Being refused a DAR application by a biased judge, when I attempted to clear my name, by proving perjury committed by a Garda.

8. Having my GSOC case deemed inadmissible, on the grounds that all statements provided by Gardai were consistent, when I have presented documentation to the contrary.

9. Being imprisoned against my will by door staff, at a Cork city premisses for Gardai and subsequently informed by an Gardai, there was noting they could do about it.

10. Being subject to an attempted conviction for parking offences, when I wasn't even in the area, in where a Garda stepped off the stand with leave to re-enter, when I appeared in court.

11. Having a genuine compensation case for a work accident, knowingly diminished by a Solicitor against my instructions, by omitting documentation from a medical report.

12. Receiving a determination from the LRSA, to my complaint which said the matter was frivolous or vexatious, when they were presented with many facts to the contrary.

13. Having the threat of being brought before the District court, by the said Solicitor, due to the inexplicable determination given by the LRSA.

14. Being refused a place on the housing list by Cork city council, for allegedly earning too much money, when I had provided Revenue statements to the contrary.

15. Being ignored by Cork city council, who never addressed my missing Revenue statement, when I had I highlighted their error, which has kept me living away for my wife and daughter to date.

16. Having my letter on 17th of December 2020 which gave me the option to appeal a Cork city council decision, conveniently sent to the wrong address, of , when all along they were corresponding with me they sent it to the correct address of , due to a clerical error. Consequently, I could have missed out on the 6-month timeframe to contest their decision.

17. Having my letter on 10th of May 2021 which gave me the option to appeal a Cork city council decision, conveniently sent to the wrong address, of , when all along they were corresponding with me they sent it to the correct address of due to a clerical error. Consequently, I could have missed out on the 6-month timeframe to contest their decision.

18. Receiving a letter on 31st of March 2022 from the Department of Housing, concerning the same H-file I had sent you, mailed to the wrong address, of 26 Mervue Lawn, even after I clearly highlighted such issues with them, which evidently demonstrates their total lack of interest in the dirty tricks employed by Cork city housing authority. (please see attached letter)

19. Having central evidence which I had provided to an Garda Siochana as an exhibit go missing, which was subsequently investigated by GSOC, who found that it was a photo copying error on behalf of the Department of Public Prosecutions.

Why is this being done to me, these tactics have held me back for many years, diminishing my quality of life.

It is not possible for me to quantify, the phycological and emotional strain this manipulation carried out by my own Government has impacted on me.

Enough is enough, I can no longer tolerate this prejudice to continue.

I will take that if I no longer hear back from you in 3 weeks, that Department of Justice are not interested in resolving this matter of snakey omitting of documents, and I will have no option but to highlight this hypocritical maltreatment with, international organisations outside of the Irish sphere of influence, as this needs to stop now.

Sincerely,

Emmett Corbett

____

Oifig an Taoisigh
Office of the Taoiseach

10 May 2022

Mr. Emmett Corbett

Cork

Dear Mr. Corbett,

On behalf of the Taoiseach, I wish to acknowledge receipt of your letter regarding concerns in respect of your personal safety, reference DJE-MO-03247-2022.

He has requested his Fianna Fáil colleague and your local Dáil Representative, Mr. Pádraig O'Sullivan T.D., to contact you regarding the issues you wish to raise. You should hear from him shortly.

Yours sincerely,

Anne Whelan

Anne Whelan
Taoiseach's Constituency Office

Tel: (01) 6194598

The Taoiseach is a Designated Public Official under the Regulation of Lobbying Act 2015, www.lobbying.ie

Arna phriontáil ar pháipéar athchúrsáilte
Printed on recycled paper

An Roinn Dlí agus Cirt
Department of Justice

Oifig an Aire | Office of the Minister

Mr. Emmett Corbett

Cork

26 May 2022

Minister's Reference: DJE-MO-03247-2022

Dear Mr. Corbett,

Thank you for your correspondence dated 3 March and 29 April 2022 addressed to the Minister for Justice, Ms Helen McEntee, T.D. The Minister has asked that I respond to you directly.

I am sorry to hear about the ongoing distress that you are experiencing as a result of the various concerns you have raised in your correspondence.

I note with concern that you are concerned about your personal safety and also note your allegations relating to Garda corruption. I would encourage you to contact An Garda Síochána if you feel that a criminal act occurred or there is a danger of a criminal act occurring. You should provide full information to your local Garda station without delay. You can also make a report through the Garda Confidential Line on 1800 666 111. I would like to assure you that members of An Garda Síochána are best placed to advise you on how to proceed in this situation.

I hope you will appreciate that, under Irish law, criminal investigations can only be carried out by An Garda Síochána, which then submits a report to the Director of Public Prosecutions (DPP). The DPP decides whether or not someone should be prosecuted, and what crime they should be prosecuted for. The DPP is independent of the Minister and the Department of Justice. The Minister is not able to intervene in this independent process.

If you are not satisfied with how your concerns were dealt with by An Garda Síochána, it is open to you to contact the Garda Síochána Ombudsman Commission (GSOC), the independent body responsible for receiving complaints from the public concerning members of An Garda Síochána. Indeed, I note you have engaged with GSOC in relation to your concerns and that your complaint was deemed inadmissible.

Neither the Minister for the Department have any role in overseeing GSOC or in reviewing complaints against GSOC. The Minister cannot act as an escalation point for complaints about GSOC. GSOC is the sole body in the State responsible for investigation the type of concerns that you have raised.

However, it may be helpful to know that the Customer Service page on the GSOC website provides detail on the code of practice governing the behaviour of GSOC staff. It also outlines how to make a complaint about a GSOC members of staff, if you consider this relevant to your case. The Customer Service page can be found at the following link: https://www.gardaombudsman.ie/about-gsoc/customer-service/

As you can appreciate, under the Constitution and the law, the Courts are independent in their functions. I note that you are seeking contact information for the Courts Service pertaining to your application for records relating to your conviction.

You can contact the Courts Service directly with your query at:

The Courts Service,

Phoenix House,

15/24 Phoenix Street North,

Smithfield,

Dublin 7.

Phone: +353 1 888 6426

Email: officeoftheceo@courts.ie

www.courts.ie

An Roinn Dlí agus Cirt
Department of Justice

Oifig an Aire | Office of the Minister

With regard to the matter you raised relating to PIAB and subsequent interactions with the LSRA and the Office of the Ombudsman, this Department would encourage you to continue to engage with these bodies in order to seek any outstanding clarifications you require in relation to the concerns you have brought to the attention of these bodies.

I note the section in the detailed file of documents you provided relating to housing and your application for social housing. As you will appreciate, social housing does not fall within the remit of this Department and I would urge you to contact your local authority if you have any remaining concerns in this regard.

Finally, it is open to you to seek independent legal advice in relation to any of your concerns.

I hope that these clarifications are of assistance to you.

Yours sincerely,

Emma McHugh.

Emma McHugh
Private Secretary to the
Minister for Justice

Please note that if the issue raised in your correspondence is deemed more appropriate to another organisation, such as another Government Department or Agency, your correspondence will be forwarded to that organisation for attention in accordance with the provisions of the Department of Justice Privacy Statement, which can be accessed on our website here: https://www.justice.ie/en/JELR/DOJ-Privacy-Notice-2022.pdf/Files/DOJ-Privacy-Notice-2022.pdf.

51 Faiche Stiabhna, Baile Átha Cliath 2, D02 HK52
51 St Stephen's Green, Dublin 2, D02 HK52
Teileafón/Telephone: +353 1 602 8202 | Íosghlao/Lo-call: 1890 221 227
Ríomhphost/Email: info@justice.ie | www.justice.ie

False Imprisonment

In 2005, I Emmett Corbett was pulled out of a group of friends, to be informed that I had threatened and abused a Garda, when in fact I had never even engaged the Garda in conversation.
This allegation was subsequently before the courts, and I was fined €100.

Sometime after another Garda called to my family home, looking for the €100, even though I had €150 in my pocket, I was resolved not to pay, as I didn't want to justify the version of events given in court against me.

After explaining this to the Garda at my door, he stepped over the threshold of our home, and had handcuffed me in a fashion, where the cuffs did not sit on my wrists as designed, but rather pressed the handcuffs against my wrist-knuckles, where the pressure was locked in so tight, that they cut my skin.

In pain in the back of the Garda car, I was brought to Cork Prison, where I was handed over to the prison guard on duty, when he found out what the matter was over, I was informed they didn't have any room, which meant I could go free.
Not liking the idea of me going home, the arresting Garda, re-arrested me, even though I was no longer in his custody, and brough me to Mayfield Garda station, where I was unlawfully imprisoned in one of their cells.

I was left out of the cell sometime later, where I found myself surrounded by Gardai telling me to sign a document that I didn't understand, when I refused, I was put back in the cell, where I was subsequently brought to a Taxi and brought to Limerick Prison by two Gardai.

As this was my first time having anything to do with these kinds of events, especially prison, I was confused with everything that was going on, and after the journey, we arrived at Limerick in the early hours, where I was then put in the custody of the prison officers there.

While there for a €100 fine, the other prisoners who were there for much serious matters, found it hard to believe that I was there for such a trivial matter, and while we were locked in our cells, the heating got stuck on a high temperature , which forced us to strip down to our underpants, due to the heat, I could hear the other prisoners shouting, and alarms going off, as one of the prisoners had tried to smash the window niche in an attempt to cool down.

The next morning, I was brought to the Wardens office, where I was asked to sign a document, and pay a reduced €40 fine, but I refused, and was released after 4 days, with a train ticket home to Cork City.

Strangely, even though I was brought to Cork prison which is the norm for Cork district court, I ended up in Limerick prison, registered as having "Violent Offences, Special Features", even though I don't have any convictions for violent offences.

Also, my request for the court order for Cork prison, has not been furnished to me, as I believe that there was no order for Limerick prison, but that the word Cork was retroactively changed to Limerick, in an attempt to cover up any wrong doings.

I was later informed, I was sent up to Limerick prison, a city that I have never had any relation to, due to a "Clerical Error"

Apparently, I was convicted as a female prisoner, instead of a male, please see court document confirming this.

The Court Hearing

This matter was subsequently brought before Justice Ryan in the High Courts, for false imprisonment and conspiracy, and a jury was sworn in, but due to my legal representation not furnishing the other parties involved with the crucial evidence, the case was thrown out and costs were awarded against me, which would have precluded me from perusing the matter any further, until I had paid off all my costs, a bill I would have never been able to afford.

How did this happen, when it is common knowledge within legal circles that all evidence must be furnished to the all parties involved?

Fortunately, Justice Ryan made the just call of putting my cost in abeyance, giving me the opportunity to proceed with my court hearing, but after seeing how my representation had made such a school boy error, the writing was on the wall, and decided the chance of bringing any accountability to guilty parties involved were stacked against me.

The cost against me were quashed, and I left with the promise An Gardai would no longer bother me with such tactics.

COURTS SERVICE
An tSeirbhís Chúirteanna

Ref 04/109700

Emmet Corbett received a copy order from cork District Court on which it stated that he received a fine of €100 with 60 days to pay or 5 day in default.

Due to an clerical error his sex was entered as female rather than male and as a result it was printed on the copy order that he would go to limerick prison instead of cork prison.

16-3-2006.

DISTRICT COURT OFFICE
16 MAR 2006
Cork District Courthouse
ANGLESEA STREET CORK

DISTRICT COURT OFFICE, The Courthouse, Anglesea St., Cork.
OIFIG NA CÚIRTE DÚICHE, Teach na Cúirte, Sráid Anglesea, Corcaigh.
Telephone/Teileafón: 021 4910520 Fax/Facsuimhir: 021 4319614 Website/Láithreán Gréasáin: http://www.courts.ie

Irish Prison Services HQ,
IDA Business Park,
Ballinalee Road,
Longford
N39A308

Emmett Corbett

Cork

Tuesday the 19TH Day of July 2022

FOI REQUEST Ref: IPS/095/2022

Dear Pauline Farley

My name is Emmett Corbett, my DOB is and my address Cork.

I wrote to you, requesting a copy of my prison record, on the date of 22rd of October, 2005, it was for 3 days in Cork prison.

But you never addressed where I was on the 22/10/2005, and my time in Cork prison.

Also, it states I have violent offences, special feature, can you please tell what this means, and if an Gardai have powers of imprisonment for 24 hours, when a citizen has not been arrested.

Enclosed is a copy of my driving licence, to verify my ID, please contact me if there are any issues.

Thanking You,

Emmett Corbett

Prisoner Information Management System - Operations Summary Report

Prisoner Name: Emmet Corbett
Prisoner Number: 37481
Date Of Birth:
Establishment: Limerick Prison
Wing: **Cell:**

Committal Date: 23/10/2005
Sentence Start Date: 22/10/2005
Sentence Expiry Date: 26/10/2005
Sentence Length: Incomplete Details
Remission Date: 26/10/2005
Remand Until Date:

Most Serious Offence:

Prisoner Details

Gender: Male **Age:** 43
Legal Status at Committal:
Committal Status: Released
Address:

Town/Area: Cork
County/City: Cork City
Country: Ireland

Nationality: Irish
Current Legal Status: Adult
Current Status: Released
Telephone 1: 0214500551
Telephone 2:
Garda Station: Mayfield (24h)
Aliases:

Prisoner Has: Violent Offence, Special Features

Current Offences Summary

Offence Description

Establishment Movements

Prisoner Information Management System - Operations Summary Report

No.	MovementType	Planed Departture Date	Departure Date	From Establishment	Arrival Date	To Establishment	Movement Complete
2	Release	26/10/2005 13:00:00	26/10/2005 13:00:00	Limerick Prison			☑
1	Committal				23/10/2005 01:34:00	Limerick Prison	☑

P19s with Lost Remission

RN	Date	Misconduct Summary	Sanctions	End Date	LOR	ROR	AT	PM
							☐	☐

Latest Garda View Details

Ref No.:

Date Requested:

Date Received:

Garda Station :

Garda Name:

Notes:

Comments1

Previous Sentences & Offences

Sentence Type	Offence Description	Sentence Start Date	Sentence Length	Release Date	Fine Imposed	Costs Imposed	Sex Offence	Post Release Supervision
Fine Sentence	THREATENING/ABUSIVE/INSULTING BEHAVIOUR IN A PUBLIC PLACE	22/10/2005	0y 0m 0w 5d	26/10/2005 13:00:00	100.00	0.00	☐	☐

Remand/Trial Warrants

WN	Warrant Type	Date Signed	Court	Remand Until Date	Confirmed

Cell Population Information Management System - Cell Population Reports

Where [Establishment] = All Establishment And [Start Date] = 01/01/1997 And [End Date] = 13/07/2017

Establishment	PN	Forename(s)	Surname	DOB	Wing	Cell	Allocation Date	Deallocation Date
Limerick Prison	37481	Emmet	Corbett	[redacted]	Reception	HOLD	23/10/2005	23/10/2005
Limerick Prison	37481	Emmet	Corbett	[redacted]	C2	13	23/10/2005	23/10/2005
Limerick Prison	37481	Emmet	Corbett	[redacted]	C2	18	23/10/2005	26/10/2005

The District Court
Principal Register
Anglesea Street
Cork.

Emmett Corbett

Cork

Tuesday the 19TH Day of July 2022

CONVICTIONS

Dear Sir/Madam

I am writing to you, as I would like a copy of my convictions, and in particular, if I have any record of violent offences.

Please find attached a copy of my driving licence, to verify my identity, or else I can collect with proof of ID, to suite your requirements.

Please contact me if there are any issues.

Thanking You,

Emmett Corbett

An tSeirbhís Chúirteanna
COURTS SERVICE

Mr. Emmett Corbett

Cork

9th day of August 2022

Re: Convictions

Dear Mr. Corbett,

Thank you for your letter dated the 19th July last.

In respect of your query please find attached a list of convictions recorded against you in the Cork District Court.

Date	Record Number	Court	Prosecutor	Charge	Result
11/03/2005	2004/109700	Cork DC, Court 1	Sgt Michael Morris	Section 6 Public Order – Threatening and Abusive Behaviour in Public	Fine €100, 60 days to pay, 5 days imprisonment in default.
04/01/2007	2006/173758	Cork DC, Court 1	Gda Brian Gubbins	No Tax Displayed – Section 73 of the Finance Act	Fine €100, 28 days to pay, 5 days imprisonment in default.
05/06/2007	2007/4078	Cork DC, Court 1	Gda David Murphy	No Tax Displayed – Section 73 of the Finance Act	Fine €100, 60 days to pay, 3 days imprisonment in default.
10/06/2019	2019/7855	Cork DC, Court 3	Sgt Brendan McBride	Parking at a Taxi Stand	Fine €100, 3 months to pay.
15/12/2021	2021/203167	Cork DC, Court 3	Cork City Council	Parking at No Parking Sign	Fine €60, 3 months to pay.

Should you require certified copy orders for these offences, a fee of €15 applies per Record Number. The total fee applicable for these would be €90.

I have a note that I have provided you with copies of some of these previously in May of this year.

I have no records of any other convictions for you within this jurisdiction.

Kind Regards,

Myles Reidy

OIFIG NA CÚIRTE CHORCAÍ, Teach na Cúirte, Sráid Anglesea, Corcaigh T12VY3F.
CORK COURT OFFICE, The Courthouse, Anglesea Street, Cork T12VY3F.
Teileafón/Telephone: +353 21 2389900 Ríomhphost/Email: corkangleseastreet@courts.ie
Láithreán Gréasáin/Website: www.courts.ie

A6144 O.35 r.1

AN CHÚIRT DÚICHE **THE DISTRICT COURT**

BY ORDER OF JUDGE UINSIN MAC GRUAIRC
JUDGE OF THE DISTRICT COURT
ASSIGNED TO SAID DISTRICT

District Court Area of CORK CITY District No. 19

CASE NO S:2004/109700 CHARGE NO 1

PROSECUTOR: The Director of Public Prosecutions at the Suit of Sgt MICHAEL P MORRIS Ballincollig
Accused: EMMET CORBETT
CORK

At the sitting of the Court at Cork Court No.1, District Court Courthouse, Anglesea Street, Cork City, Co Cork in the Court area and district aforesaid
on the 11-Mar-2005, a complaint was heard and determined that the above-named accused of
CORK

On the 25-Jul-2004 at GRAND PARADE, CORK a public place, in the Court Area and District aforesaid, did use or engage in threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace or being reckless as to whether a breach of the peace might have been occasioned.
Contrary to section 6 of the Criminal Justice (Public Order) Act, 1994.

It was adjudged that the said defendant be convicted of said offence and pay a Fine of EUR100.00 making a total sum of EUR100.00 within 60 days and in default of payment of the said sum within the said period that the said defendant be imprisoned in Limerick Prison prison for the period of 5 days unless the said sum be paid sooner.

Pursuant to the order of the above named Judge

Dated this: 11/5/2005

Signed ______________________
District Court Clerk assigned to the said District

I certify that the above is a true copy of the original which is held in my custody.

Signed: ______________________
Clerk of the District Court

Dated: 17/5/2022

DATA PROTECTION REQUEST

On applying for my file through Data Protection, I was only sent a partial file, due to another "Clerical Error"

To which I had to re-request.

An Garda Síochána

Aonad Cosanta Sonraí
An Tríú Urlár
89-94 Sráid Chapel
Baile Átha Cliath 1
D01 E3C6

Tel / Teileafón: 01-6669518

Bí linn / Join us:

Data Protection Unit
Third Floor
89-94 Capel Street
Dublin 1
D01 E3C6

Láithreán Gréasáin/Web site: www.garda.ie
Riomhphoist/E-Mail: GDPR.dataprotection.ie

Date: 08/03/2021

Luaigh an uimhir thagartha seo a leanas, le do thoil :
Please quote the following reference no. :
SAR.KPYDGQ

Emmett Corbett

Co Cork

Re: Data Protection - Subject Access Request - Mr Emmett Corbett

Dear Mr Corbett

With reference to the above and your recent correspondence, I note that a PULSE incident report was forward to you and at that time further data should also have been enclosed. Unfortunately, due to a clerical error this data was not attached, for which I must apologise

Please now find enclosed data that was missing.

You will note that some data has been redacted, as this is the personal data of another individual or individuals. Within the ambit of Article 15(4) GDPR/Section 91(7) & 91(8) of the Data Protection Act 2018, such data can only be disclosed if any such other individual concerned consents to the disclosure.

Some data is not being disclosed to you on this date as it is not your personal data as defined within the ambit of Article 4 GDPR/Section 69(1) of the Data Protection Act 2018.

Some data is not being disclosed to you as it is an expression of an opinion about the data subject by another person given in confidence or on the understanding that it would be treated as confidential within the ambit of Section 91(9)(a) of the Data Protection Act of 2018.

Further data is not being disclosed as it falls within the ambit of Section 94(3)(a) Data Protection Act 2018. Your right of access to your personal data under Article 15 GDPR/Section 91 Data Protection Act 2018 does not apply to categories of personal data falling within the ambit of Section 94(3)(a) Data Protection Act 2018. This being the case any such data in existence cannot be disclosed to you pursuant to your request for access to your personal data under the Act.

In the circumstances you may, if you so wish, within the ambit of Article 15(1)(f) GDPR/Section 93(6) Data Protection Act 2018, lodge a complaint to the Data Protection Commission in respect of your access request under the Act.

Furthermore, within the ambit of Section 94(5)(b) Data Protection Act 2018, you may, if you so wish, under Section 95 of the Act, request the Data Protection Commission to verify the lawfulness of the processing concerned, or, under Section 128 of the Act, seek a judicial remedy in relation to the said restriction.

Should you need futher assistance please do not hesitate to contact this office.

Yours sincerely,

Ian Campbell
Executive Officer

An Garda Síochána
Data Protection Unit
08 MAR 2021
Capel Street

Section 30 and putting my Safety at Risk

Unlawful arrest, Imprisonment and Conviction

On the 28-09-2012, I had written a letter to Chief Superintendent Mick Finn, concerning unconstitutional activity in Cork city centre, which subsequently garnered the unwanted attention of ERU armed Gardai.

The details of this incident have been attached explaining the events of that day.

This matter subsequently went to court in 2013, and even though I was out of the country, somehow the summons, was miraculously signed for, where I was convicted in my absence and fined €500 or 45 days in Cork prison.

On my return to Ireland in 2016, I won my appeal in this matter, due to inconsistent evidence given by a Garda.

Consequently, two varying accounts were given in two different courts.

I did apply for the DAR records of both District and Circuit courts, to verify the conflicting evidence, and clear my name, but unexpectedly, I was refused, and precluded from establishing this fact.

This matter was printed in the newspaper, which gave the impression that I was involved in **unlawful** activities, which has undermined my personal **and professional life, as such an inference has involuntarily brought unwanted attention to me, which may damage future employment.**

I have exhausted every avenue for Justice in this matter, but the failure to deal with this matter impartially, and bring dishonest Gardai to account, has impacted greatly on my life, as my disposition has since been one of constantly having my guard up, **anticipating another unlawful arrest.**

CORK CIRCUIT **COUNTY OF CORK**

COPY ORDER AFTER APPEAL

Complainant: The Director of Public Prosecutions at the Suit of Garda Garda Colin Dowling, Anglesea Street

Appeal No. SA 229/2016

DC Case No. 2013/97866 Offence No. 1

Defendant: **Emmet James Corbett**
1 Victoria Terrace, Apartment 3, Summerhill North, Cork

At the sitting of the District Court held at Cork District Court, Court No. 1 in Said District Court Area of Cork City District No. 19 on the 23rd day of September 2013 before Judge Leo Malone, the Judge for the time being assigned to the said district, a complaint was heard and determined that the above named accused of 1 Victoria Terrace, Apartment 3, Summerhill North, Cork

On the 16/03/2013 at Wellington Road Cork Cork a public place, in the district court area of cork city, district number 19 , did use or engage in threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace or being reckless as to whether a breach of the peace might have been occasioned.
Contrary to section 6 of the Criminal Justice (Public Order) Act, 1994 as amended by Section 22 of the Intoxicating Liquor Act, 2008

It was adjudged that the said defendant be fined in the sum of €500.00, such fine payable within 3 months with the accused to serve a period of 45 days imprisonment in Cork Prison in default of such payment.

AND ON the appeal of the decision of the District Court on the 23rd day of September 2013 coming before
Judge David Riordan at Cork on the 23rd day of June 2016

IT IS HEREBY ORDERED AS FOLLOWS:

Allow Appeal. Vacate the Order of the District Court.

Signed:____________________________________
Nominated Signatory by the Office Manager

This 17th day of May 2022

28 September 2012

To Chief Superintendent Michael Finn,

I am writing to you with a complaint concerning unconstitutional activity that is active on Saint Patrick's street in my home town of Cork city.
Every Saturday outside the Brown Tomas shop, you will find a non-national man propagating Islamic literature.

When I queried him about his books on display, and his message, he asked me if I was a Catholic, when I answered him that I was a Christian, he produced a leaflet that was hidden out of sight under some books, with the title "Deliverance from Jesus Christ".

At the time when I was given the literature, I was so angry that I felt the best thing to do was to walk away and calm down.
After gathering my thought I have come to the understanding that what had happened was indeed unconstitutional, worrying and offensive, not to mention the fact that such people can come to this country and enjoy our freedoms which are founded on Christian principles, then in turn use these freedoms to attempt to undermine and criticize our faith, culture a institutions that we, like the vast majority of our ancestors before us have held so dear.

I refer to the below article of the Constitution, as I am very eager to see an end of this treacherous activity.

Article 40 of the Irish Constitution states (in part):

"6.1. The State guarantees liberty for the exercise of the following rights, subject to public order and morality:
i.
The right of the citizens to **express freely their convictions and opinions**.

The **education of public opinion being**, however, **a matter of such grave import** to the common good, the State shall endeavour to ensure that **organs of public opinion**, such as the radio, the press, the cinema, while preserving their rightful liberty of expression, including criticism of Government policy, **shall not be used to undermine public order or morality** or the authority of the State.

The publication or utterance of blasphemous, seditious, or indecent matter is an offence which shall be punishable in accordance with law."

BLASPHEMY defined by Black's Law Dictionary

In English law. Blasphemy is the offense of speaking matter relating to God, Jesus Christ, the Bible, or the Book of Common Prayer, intended to wound the feelings of mankind or to excite contempt and hatred against the church by law established, or to promote immorality. Sweet. In American law. Any oral or written reproach maliciously cast upon God, His name, attributes, or religion. Com. v. Knee- land, 20 Pick. (Mass.) 213; Young v. State, 10 Lea (Tenn.) 165; Com. v. Spratt, 14 Phila. (Pa.) 365; People v. Ruggles, 8 Johns. (N. Y.) 290, 5 Am. Dec. 335; Updegraph v. Com., 11 Serg. & R. (Pa.) 406 ; 2 Bish. Cr. Law,

(Of possible interest) 2009 – Defamation Bill Proposes Blasphemy Crime

The Oireachtas Joint Committee on Justice is currently discussing the Defamation Bill 2006. The purpose of this Bill is to "revise in part the law of defamation and to replace the Defamation Act 1961 with modern updated provisions taking into account the jurisprudence of our courts and the European Court of Human Rights".

The 1961 Act includes the offence of blasphemy, as quoted above. The Minister for Justice is proposing to replace this reference with a new proposed offence, stating: "A person who publishes or utters blasphemous matter shall be guilty of an offence and shall be liable upon conviction on indictment to a fine not exceeding €100,000."

"Blasphemous matter" is defined as matter "that is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion; and he or she intends, by the publication of the matter concerned, to cause such outrage.

Chief Superintendent Finn, could you just imagine if this was to happen in any Islamic state, with the roles reversed!
These double standards are staggering to say the least, especially in light of the recent riots and chaos that go hand in hand whenever Mohammed has been criticized.
When I think what this man's objective and desired end result, it just boils my blood.

Please find enclosed the Blasphemous literature in question, that treat the death and resurrection of the Lord Jesus Christ with contempt, a belief and conviction that is fundamental to all adherents of Christendom worldwide, regardless of denomination.

I sincerely hope that you can empathize and deal promptly with this seditious matter, while keeping me informed on the enforcement of Article 40, 6.1.

Thanking you,

____

hours on the cross from which he was taken down alive. His bones were not broken. What killed him?

There is ample evidence which proves conclusively that he did not die on the cross. His physical body was removed to the family sepulchre of Joseph of Arimathea. If he was already dead what happened to his dead body? Where was he buried? In the same physical body, which bore the marks of his injuries, he met his disciples and ate with them, proof positive and irrefutable that he had not died.

Reflect then, O ye who are gifted with understanding, and grasp the reality and do not let yourselves be misled by fiction.

For further study on this topic, we strongly recommend the following books:

Jesus in India
Where did Jesus die?
Jesus lived in India
Death on the Cross?
Deliverance from the Cross
Truth about Crucifixion

Note: All these books are available from the London Mosque.

For further information, please contact:

MISSION CENTRES WITH MOSQUES

HEAD OFFICE UK MISSION: Mr Ataul Mujeeb Rashed, Imam of the London Mosque and Missionary In-Charge. The London Mosque, 16 Gressenhall Road, London SW18 5QL. Tel: 01-870 8517. Telex: 28604 Ref. 1292. Fax: 01-870 1095. Cables: Islamabad, London.

BIRMINGHAM: Mirza Mahmood Ahmad (Missionary), Ahmadiyya Muslim Mission, 792 Washwood Heath Road, Birmingham B8 2JL. Tel: 021-327 5695.

BRADFORD: Mr A. H. Khokhar (Missionary), Ahmadiyya Muslim Mission, Bait-ul-Hamd, 393 Leeds Road, Bradford BD3 9LY. Tel: 0274 665233.

CROYDON: Mr L. A. Tahir (Missionary), Ahmadiyya Muslim Mission, 3 Kidderminster Road, West Croydon, Surrey. Tel: 01-688 9721, 01-686 6295 (Home).

EAST LONDON: Ahmadiyya Muslim Mission, Baitul Ahad, 67 Erskine Road, London E17. Tel: 01-521 1493/01-520 1247.

GILLINGHAM: Ahmadiyya Muslim Mission, 242 Medway Road, Gillingham, Kent. Tel: 0634 572812.

GLASGOW: Mr N. A. Bajwa (Missionary), Ahmadiyya Muslim Mission, Baitur Rahman, 8 Haugh Road, Glasgow G3 8TR, Scotland. Tel: 041-334 7931.

HOUNSLOW: Ahmadiyya Muslim Mission, 327 Martindale Road, Hounslow, Middlesex. Tel: 01-577 0221.

HUDDERSFIELD: Ahmadiyya Muslim Mission, 41 Fitzwilliam Street, Huddersfield, Yorkshire. Tel: 0484 515375.

MANCHESTER: Mr Mirza Naseer Ahmad (Missionary), Ahmadiyya Muslim Mission, Darul Aman, 1 Clarendon Road, Whalley Range, Manchester, Lancs M16 8LB. Tel: 061-226 9918.

OXFORD: Ahmadiyya Muslim Mission, 257 Cowly Road, Oxford. Tel: 0865 250732.

SOUTHALL: Ahmadiyya Muslim Mission, Darus Salam, 11 Boyd Avenue, Southall, Middlesex UB1 3BT. Tel: 01-843 2053.

Other Branches (with telephone numbers)

BARKING 01-599 4168
BLACKBURN 0254 670885
BOURNEMOUTH 0202 476660
BRISTOL 0272 693747
CAMBRIDGE 0223 246488
CARDIFF (S. Wales) 0222 489185
CATRINE (Scotland) 0290 52535
CHESTER 0745 67921
EDINBURGH (Scotland) 031-442 2251
GREENFORD 01-575 0752
HARTLEPOOL 0429 264474
HAYES 0895 421292
HIGH WYCOMBE 0494 445246
HOUNSLOW 01-572 4055
KEIGHLEY 0535 67989
LEAMINGTON SPA & COVENTRY 0926 20498
LEEDS 0532 442460
LEICESTER 0533 706520
LUTON 0582 574145
MILTON KEYNES 0908 666016
NORTHAMPTON 0604 412035
NORTH LONDON 01-455 3496
NOTTINGHAM 0602 733541
PRESTON 0772 794511
READING 0252 873353
SHEFFIELD 0742 557840
SLOUGH 0753 820596
SOUTHAMPTON 0703 738103
SPEN VALLEY 0274 873907
WATFORD 01-428 0413
WOKING 04862 21754

In case of difficulty, please contact the London Head Office

The Ludo Press Ltd, London SW18 3DG 25,000 7/88

Deliverance of Jesus Christ from the Cross

Published by
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16 Gressenhall Road, London SW18 5QL

THE DIVINE PLAN

Jesus Christ, son of Mary, was the true Messiah, a noble prophet and messenger of God, who was loved by Him. The Jews of Judea rejected him and planned to bring about his death by crucifixion as a traitor, so that being accounted accursed according to the Torah, his being false in his claim might be confirmed. That was the plan of his enemies. God's plan was to frustrate his enemies and deliver him from such a death. That is one of the most fascinating chapters in the spiritual history of man.

JESUS PRAYS FOR DELIVERANCE

Jesus, like all prophets, had great faith in prayer. He repeatedly urged the disciples to have recourse to prayer. He told them God heard his prayers. When he perceived the design of his enemies he was grievously troubled. He did not shrink from laying down his life in the cause of God. What afflicted him was that if his enemies succeeded in their design they would thereby shut firmly upon themselves the gates of the kingdom of God and the great divine bounty of prophethood would be transferred from them.

In his distress he turned to prayer. He spent the greater part of the night in agonised supplication in the garden of Gethsemane. His prayer was doubtlessly heard and he was assured of deliverance from an accursed death.

HOW IT ALL HAPPENED

He was apprehended and was produced before Pontius Pilate charged with blasphemy and treason. When Pilate sat down on the judgment seat his wife sent to him, saying: Have thou nothing to do with that just man, for I have suffered many things this day in a dream because of him.

Now that surely is for the spiritually discerning a proof that Jesus would not perish by the cross. It never happens that God should intervene on behalf of one of His servants to safeguard him, and the divine intervention should prove ineffective.

From that moment Pilate made several efforts to placate the Jews and release Jesus, but they would not hear of it. Pilate declared he found no fault with Jesus. The Jews threatened to denounce him to Caesar, unless he were to order the crucifixion of Jesus. Finally, late in the afternoon, the day being Friday, Pilate yielded to their importunities and handed Jesus over to them to work their will upon him, washing his hands of all responsibility.

JESUS IS PUT ON THE CROSS

The Jews mocked at him and maltreated him and led him to the place of execution, where he was nailed to the cross, with a thief on either side of him. Soon darkness spread over the land and everyone was affrighted and feared lest the sun should set and the nailed bodies should be still on the crosses which was a punishable offence. So they were hastily taken down from the crosses while they were still alive, though Jesus under the strain of all that he had endured that day was in a swoon. The bones of the two thieves were broken to ensure their death, but Jesus appearing to be dead already had not his bones broken.

'BODY' IS RELEASED

In this situation of confusion and bewilderment and of fearful portents, Joseph of Arimathea, a wise counsellor and a friend of Pilate, who believed in Jesus, went to Pilate and asked that the body of Jesus be handed over to him. Pilate who had experience of these matters marvelled that Jesus should be so soon dead, but being assured that it was so, readily gave the permission asked for. Joseph placed the unconscious body of Jesus in a rock-hewn chamber which was his family sepulchre and which was close by, where it was treated by Nicodemus, an expert physician, with spices and unguents and was ministered unto, till it was restored to consciousness. All this happened over the weekend. By Monday Jesus was able to move about though his body still bore the marks of the injuries which he had received and which had to be tended to.

MEETS HIS DISCIPLES

He met his disciples in secret. They could scarcely credit the evidence of their eyes and ears. They believed he had died and they imagined they saw his ghost. He assured them he had not died and was no ghost. He invited them to examine his injuries. Do ghosts bear marks of injuries? He was hungry and asked for food and ate with them. He did not want it noised about that he had not died, that the purpose of his enemies had by God's grace been frustrated. He cautioned them lest his enemies learning that he was alive should move to have him apprehended once more. He told them that he had been rejected in Judea, but that was not the end of his mission. He had to convey his message to the lost sheep of the house of Israel, the Jews of the diaspora, and must part from them.

GOES TOWARDS EAST

Thus he set out for the regions of the east in which the lost tribes were settled all the way from Syria through Turkey, Iraq, Iran, Afghanistan, north-western India to Kashmir. The very name of Kashmir is reminiscent of Syria and some of the place names are identical with Syrian place names. The people of Kashmir to this day bear a striking resemblance to Israelites. Jesus was welcomed and accepted by the Jewish tribes of the diaspora among whom he became known as Yuz Aasif, the prince prophet. He spent his last years in Kashmir.

END OF HIS LIFE

He lived to the ripe old age of over 120 years and when he died he was buried in Khanyar Street of Srinagar. His tomb is still preserved and is a place of pilgrimage.

TRUTH OF THE MATTER

There is not a shred of evidence to support the fiction that Jesus son of Mary, prophet and messenger of God, died on the cross. He spent not more than three

An Garda Síochána

An Cheannfort,
An Garda Síochána,
Sráid Mhóna,
Corcaigh.

Tel/Teileafón: 021-4522016
Fax/Facs: 021-4522082

Superintendent,
An Garda Síochána,
Anglesea Street,
Cork.

Web Site: www.garda.ie
E-mail:

Please quote the following Ref. No:

Date: 12/10/2012

Mr. Emmett Corbett,
Victorian Terrace.

Cork City.

Re: Unconstitutional activity on Patrick Street

Dear Mr. Corbett,

In reference to your recent letter and further to our telephone conversation of the 10/10/2012. I wish to inform you I will look into the matter and see if there are any offences disclosed. I will contact you in due course.

Yours faithfully,

ML. MCGUIRE, INSP.
FOR SUPERINTENDENT

Emmett Corbett
Victoria Terrace

Cork.

16/3/13

Superintendent McPolin,

Once again I am writing to you about Garda members under your command, and their abuse of authority.
Today on the 16/3/13 at approximately 3:30pm on Wellington road I was walking home from town, when a Garda jeep driving on the other side of the road, pulled in alongside me, where I was asked my name by two Garda not wearing any identification numbers.

Naturally I asked them why they wanted to know my name, as there were other people on both footpaths, but was informed that they wanted to know who I was to eliminate me from their inquirers, then subsequently informed that they wanted to know my name under Section 30 Offences against the State.

Being no stranger to this sort of maltreatment, I got upset and attempted to point out what right had An Garda to pull over everyday citizens like myself, and question them on suspicion of Offences against the State.
Before I knew it I was handcuffed with my hands behind my back, with my sunglasses literately ripped off my face with my clothing pulled, provoked to retaliate.
Although I put up no resistance, I was manhandled excessively and then stood up against a wall in broad daylight, for all who were passing by to see, one of those passers-by was a former work colleague, which I did not want to see in such circumstances.

While handcuffed, one of the Garda, informed me that he already knew who I was, and was aware of a recent complaint I had made regarding a Constitutional matter.
With this being the case, then why did he even take time to stop in the first place to bother me, or feel the need to inform me about my complaint, as this is totally inappropriate, epically when I never even met these men before, and the fact that they knew me and had a lot of hostility toward me, borders on intimidation.

Now handcuffed in the back of the jeep, on our way to Mayfield Garda station, I was informed that I was being charged with threaten and abusive behaviour, but when I made it clear that I done no such thing, I was given no reply.
On arriving at Mayfield Garda station, I gave my details, and was stripped of my personal belongings, such as phone, boots, my top and belt (for my own safety!) and put in a cell, only to be left out approximately 30mins later, and informed that there was a file being sent to the DPP, and that I can expect to hear more about this matter coming down the line.

On receiving my belongings I noticed my phone was missing , as one of the Guards had taken it from me on the side of the road, and put into his own pocket, then saw the same Garda going through its contents, taking notes, only to return my phone unlocked. I raised this issue, only to be told by the Garda on the desk "sush you got it back now, that's the end of it"

So now let us review what had just happened.
One day while walking home from town, I was pulled over by Garda not wearing identification numbers, and asked my name even though they already knew it, then informed that I was under suspicion for Offence against the State, handcuffed, embarrassed in public with my sunglasses ripped of my face, pushed and pulled, provoked to retaliate, while informed that they knew about a complaint I made, then brought against my will to a Garda station, only to be thrown in a cold cell with no shoes or jumper, deprived of my freedom, while the my personal messages were being read on my phone, then realised 30 minutes later, with the false charge of being threaten and abusive toward the two Armed Garda that done this to me!!!

Superintendent McPolin, in all Honesty, this sort of thing wouldn't happen in the Soviet Union and should not be happening here in Cork city.
Once again I have had my rights violated and trampled upon be those who are sworn and paid to protect them, and your unit have continued to conduct themselves in the most unprofessional manner possible against their fellow citizens.
Not to mention that I was told to shut up and that I was stupid.
What frustrates me the most about people like this, is that they only conduct themselves in such away with folks who they know are not in a position to defend themselves, and if such Garda were in any other line of employment, they would be fine quite boys, instead of the brash wannae hot shots they attempt to portray themselves to be.
All I can say about such people is, The only thing worse than a Coward, is a Coward with power!

All the above was witnessed by a man that was working on an ESB box, and im sure he will have no problem corroborating what happened.
By bringing me before a judge for threaten and abusive behaviour is a joke, and any of my friends, family, neighbours and all that know me, will know this to be utter lies, ultimately only doing yourselves damage, as An Garda are the ones that come off as petty liars, bearing false witness against members of their own community.

Seriously Mr MacPolin, think about it, stories like these are ten a penny, and this sort of thing is nothing new, this unprofessional behaviour is rampant with the force, and although I disagree with the pay cut coming your way, can you honestly say when your fellow members' carry themselves on like this, that they have earned a honest day's wage???

Superintendent McPolin, I am very disillusioned over this incident, and although I am well within my rights to make a complaint to the Ombudsman, I really don't want to as I feel making complaints against individuals are petty, and believe that problems such as these are best solved and much more effective when addressed by fellow work colleagues within the ranks, instead of an outside organisation like the Ombudsman. In short, Superintendent I would like you to personally look into this matter and you will know that I Never threatened or abused the Gardi in question, and when you are satisfied with this fact, you could speak your subordinates about their conduct and how it is detrimental to public relations within the community.
I have already unsuccessfully tried to explain to one these Garda on leaving Mayfield station, but was abruptly cut off as he showed no interest in listening to reason. Failing to address this recklessness will only result in complete lack of any sense of justice, on behalf of people like myself.

Also I would like to add that I find it worrying that Garda of lower rank have access to the Chief Superintendents correspondences, and feel its ok to discuss such correspondence with civilians on the side of the road, especially when they are a third party and not the ones addressed to in word.
This has put a great dent in any confidence I had concerning your confidentiality and professional conduct, knowing that any aul Garda has the ability to read his bosses letters.

Is it now a case that I am being singled out, because certain members of your organisation have an axe to grind with me, for simply exercising my democratic right and voicing my concern regarding our community affairs?

I really hope this is not the case, and would ask if you would make time to speak to me on the matter.

Sincerely

Emmett Corbett.

An tSeirbhís Chúirteanna
COURTS SERVICE

District Court Area of Cork City

District No. 19

D.P.P. –V- Emmet James Corbett

Appeal Number: ____________

Please take note that the above Appeal will be listed in
Courthouse, Washington Street, Cork

on 27/05/2016 at 10.30 am

YOU MUST ATTEND COURT ON THAT DATE

IF YOU DECIDE TO ENGAGE A SOLICITOR TO ACT ON YOUR BEHALF, PLEASE NOTIFY THEM OF YOUR APPEAL DATE.

Original Notice of Appeal	☐
Original Statutory Declaration	☐
Original signed Recognisance Form	☐
Notice of Extension of Time to Appeal (if applicable)	☐

I ACKNOWLEDGE THAT I HAVE BEEN NOTIFIED OF MY APPEAL DATE

Signed: Emmet Corbett

the internet, it took him four days to

[redacted] said: "He is lucky to be here." The judge said he [redacted] would take the recommendation given by the probation service and pu[redacted]on a probation bond for one year.

The judge said the probation bond would cover all the charges on which the accused was before the court. The charges included criminal damage, threatening behaviour and being drunk and a danger.

The charges arose out of an incident on December 23, 2015, when the defendant was seen in a heated argument with two females in his company at Cork Road, Carrigaline. Garda [redacted] arrested the accused and brought him to the Bridewell garda station in Cork where he caused €100 damage to a door. The accused brought €100 to court to pay for the damage he caused to the door in the station on the night.

Teen must take calls from gardaí

A 16-year-old who got bail yesterday on strict conditions – including that he would take any phone calls made to him by gardai – said he did not want to be talking to guards. The juvenile was put on bail that required him to keep a curfew and be home every night at 9 p.m. Judge [redacted] made it another condition of bail that he would take any calls made by gardai to him on his mobile phone.

As the juvenile was giving a sworn undertaking to abide by the conditions read out to him in court by registrar, [redacted] the teenager spoke up and said he had no phone.

Defence barrister, [redacted] then told Judge David Riordan that the accused was an unusual teenager in that regard.

[redacted] said the teenager's mother was present in Cork Circuit Appeals Court yesterday and would let her son use her phone or would get him a phone if required.

The teenager, who is appealing a nine-month sentence for carrying a knife on April 8 last year, then spoke up for a second time. "Why do I have to answer the phone to the guards? I don't want to be talking to no guards, to be honest, no disrespect or anything." The judge adjourned the appeal until July 7. He warned the appellant: "If you are not at home (at the curfew time) they will be in to me like a flash for a warrant for your arrest."

Golf clubs damage to cars

A householder who went out to get troublesome youths away from his property ended up being assaulted and having his car windows smashed with golf clubs.

24-year-old [redacted] appealed yesterday against a six-month jail sentence for his part in the escapade which involved causing the damage and not the assault.

After hearing the evidence in the appeal [redacted] said at Cork Circuit Appeals Court yesterday: "Six months was the sentence imposed at the district court. Six months is the appropriate sentence because of the criminal damage. The court cannot countenance that type of behaviour. The six

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for a drugs conviction — for his part in the bungled smuggling attempt at Dunlough Bay, Mizen Head, on July 2, 2007.

peal to the Supreme Court on the basis that he has an important point of law of exceptional public importance to raise.

prison to court on time for the hearing. He said Wharrie could give evidence from prison by video link.

Wharrie and his co-accused were arrested by gardai after their rigid inflatable boat carrying 1.5

Customs officials came across Wharrie and another man making their way up from the cliffs.

Cork man wins appeal against conviction

Court Reports

■ Liam Heylin

EMERGENCY Response Unit gardaí stopped a man for a search under the Offences Against the State Act, and yesterday an appeal court judge allowed the accused man's appeal against a conviction for threatening behaviour.

Emmet James Corbett with addresses at Victoria Terrace, Summerhill North, and [redacted] was previously convicted and fined €500 at Cork District Court for engaging in threatening behaviour on the afternoon of March 16, 2013.

Yesterday Judge David Riordan allowed his appeal against the fine and conviction at Cork Circuit Appeals Court.

Detective Garda Colin Dowling said he was with his colleague Det. Garda Keith Mills at the time of the disputed incident. Corbett also gave evidence yesterday. Judge Riordan said that as two gardaí were present, and in the absence of the second officer in court yesterday where the evidence was balanced between the two witnesses, the appeal was being allowed.

Det. Garda Dowling said although he had never met Corbett before that date, he knew who he was. He stopped him under the Offences Against the State Act and demanded his name and address.

When Garda Dowling told the appellant he was going to arrest him, he said Corbett clenched his fists and became violent, lashing out at him and his colleague, Det Garda Mills.

Corbett said that did not happen. He said it was a bright day with a wind chill and he had freshly shaved his head so that was why he was wearing sunglasses and had his hood up in the afternoon.

Emmet Corbett claimed that the only reason he was stopped on the afternoon was because he had written a letter to Chief Superintendent Michael Finn, the contents of which were not disclosed in court yesterday.

Det. Garda Dowling said he did not even know that the appellant had written such a letter.

Corbett felt it was bizarre that he was being arrested in broad daylight and accused of lashing out at gardaí.

Det. Garda Dowling said the reason he stopped the appellant on the day was, "I believed he may have been in possession of articles or materials under the Offences Against the State Act."

Judge Riordan said that even though there had been reference to Corbett allegedly lashing out at the two gardaí there was no charge of assault and that the charge was one of engaging in threatening behaviour.

Woman wins appeal against assault case at CUH

A WOMAN successfully appealed a case yesterday where it was alleged that she caught a care worker by the throat because she "went ballistic" over her elderly mother being taken by taxi rather than ambulance from a nursing home for a hospital visit.

[redacted] of Ferndale, [redacted] totally denied the charge of assaulting Ann McConnon at Cork University Hospital on June 3, 2014. Ms [redacted] said Ms [redacted] went ballistic and assaulted her.

When the case was heard last year at Cork District Court, Judge Olann Kelleher said he found the facts proved against Ms Murphy, dismissal under the Probation of Offenders Act.

It went to a full re-hearing at Cork Circuit Appeals Court yesterday and Judge David Riordan said it would not be enough to say that because [redacted] was cross about the taxi that she 'probably' assaulted Ms McConnon. The judge said such a case could not be determined on probability and had to be decided beyond a reasonable doubt.

In that regard, the judge said the independent evidence of Nurse Colette Beresford, who was present in the room at CUH at the time of the disputed incident, was of particular value.

He referred to a particular inconsistency between the complainant and evidence of Nurse Beresford and added, "That goes to credibility." He then dismissed the case against [redacted] said she brought the res[redacted] mother, who has since died - from Mowlam's in Ballincollig to the CUH that day for a procedure. She said they travelled by taxi and that when the resident's daughter, [redacted] arrived at CUH she was fuming because they had travelled by taxi. She said at one stage she was on her phone when Linda Murphy grabbed her by the throat. Ms McConnon said Ms Murphy later 'pucked' her on the arm three times.

[redacted] said she did not assault Ms McConnon in any way.

Linda Murphy testified that she just put her hand up to take the phone and that [redacted] gave her the phone. The phone in question was a land-line phone belonging to the hospital and both parties had been talking to someone at the nursing home.

[redacted] said she did have an issue at the time with her mother being carried by taxi rather than ambulance and commented on the day, "My mother is broke from taxis."

She told her barrister, Paula McCarthy, of her attitude to the complainant, "I have no malice against the girl."

Application for DAR Records

On applying for the DAR records in on 09/06/2017, at Washington street court, I entered into a packed courtroom, where judge Onan Kelleher was presiding.

As my name was called for hearing, judge Kelleher, looked at me and said to the clerk that he will deal with my case later.

As I was waiting for my hearing, I eventual found myself in an empty courtroom, as I was now last to be heard, void of public witnesses.

I presented my reasons to judge Kelleher, and expressed urgency that I had been implicated in Section 30 in the newspaper, as I wanted to clear this matter up promptly, however judge Kelleher abruptly spoke over me, and said “and maybe you are”.

Taken back at the lack of impartiality, and his hasty attitude, he refused my application, without even considering my deep concerns, or been given an opportunity to express them.

At this the hearing was over, and I left the court not knowing where to turn to for help.

I subsequently sought out representation, to aid me in resolving this matter, but unfortunately these efforts were also shut down.

All events stated by me in these matters, can be easily proven if access to the necessary DAR records are provided.

No. 12B.1 2017 10 681

SCHEDULE C CASE 13/97866

O.12B, r.7(1)

Notice of Application for access to a record of proceedings held by or for the Court

District Court Area of CORK CITY District No. 19

EMMETT CORBETT of ...~~*Prosecutor/*Plaintiff~~/*Applicant

DR MICHAEL COMYNS of ...*~~Accused/*Defendant~~/*Respondent

TAKE NOTICE that EMMETT CORBETT of .... MAYFIELD intends to apply to the District Court sitting at CT 1 on the 9 day of JUNE 2017 at 10.30am. for an order allowing access to *(part of) a record of the above-entitled proceedings which is held by or for the Court.

The grounds on which such access is sought are the following: *(specify grounds)*
THAT GARDA. COLIN DOWLING GAVE TWO DIFFERENT ACCOUNTS OF EVIDENCE.

A copy of the affidavit sworn by or on behalf of the moving party is served herewith.

Dated this 2 day of JUNE 2017

Signed Emmett Corbett

Moving Party/Solicitor for Moving Party

To: District Court Clerk at WASHIGTION ST CORK

To: .... of ....

*To: .... of ....

*Delete where inapplicable

(L.S.)

MY05.77/13

✓ wm

Emmett Corbett,

Cork.

Hello Superintendent Comyns

My name is Emmett Corbett. I have been instructed by Judge David Waters to be more specific in my application for records pertaining to a conviction I received on the 23rd of September 2013 in the Cork district court.
As I have been unable to find a solicitor to represent me in this matter, I will be taking on the task of applying and corresponding with you myself. So I apologise in advance if I stray from the professional norms you are accustomed to when dealing with such requests.

The background to the reason for my requesting of the Cork district court DAR records on 23-9-13 goes back to a letter I addressed to Chief Superintendent Mick Finn on 28-9-12, concerning a constitutional matter, which was the reason I came to the unwarranted attention of the ERU on the 16-3-13. Please see documents which have been lettered X for your convenience.

On 16-3-13, at approximately 3:30pm I was stopped, searched under section 30 and arrested for threatening and abusive behaviour, the details of which can be found in a letter addressed to Superintendent McPolin on 19-3-13, which has been lettered Y.

When it came time for me to appear in court on 23-9-13 for threatening and abusive behaviour, I was living in Boston USA, but had instructed my dad to appear on my behalf and inform the judge why I was unable to appear.
My dad had spoken to a Sargent Gambel in Watercourses road station, who informed him to speak to the Inspector in the district court on the day. But then my dad received a phone call from a female Garda who instructed him not to appear in court on my behalf. Taking the day off work, my dad had decided to appear for me, and when he spoke to the Inspector Garda on the day and informed him that I was out of the country, but that we were not ignoring the court, the Inspector informed my dad that there wasn't any need for him to hang around, so my dad following the Inspector instructions, went back to work, happy not to see the whole day wasted. However the case went on without my dad present, and I was convicted in my absence.

While I was away in the USA avoiding the recession in Ireland, I had decided to make the most of my time away and up-skill myself in my trade as a Painter & Decorator, by taking courses in wood finishing and colour consulting, including other areas of related study, with the intention of working for myself when I returned home to Ireland. The cost of investing in myself to be better equipped tradesman was thousands of dollars, but I felt it would be worthwhile sacrifice.

On my return to Ireland in 2016, the first thing I done was to appeal my conviction in the district court, and get on with my life. But during my appeal hearing on 23-6-16 detective Colin Dowling had committed perjury by saying I had "lashed out" on him and his colleague detective Keith Mills. Essentially upgrading the charge of threatening and abusive behaviour to assault! However Garda Dowlings ever changing account of what happened did not go unnoticed by Judge O Riordan and my appeal was allowed. Unfortunately the false testimony Garda Dowling had given against me was printed in the Cork Evening Echo. This had caused much upset to myself and my family, and I believe had done damage to my reputation and employment, seeing as much of my job involves working in customers' homes, where trust is paramount. Around the same time, I had a job lined up with a potential client, but soon after Garda Dowlings lies were printed in the newspaper, I had heard no more about the soon to be scheduled job. This is an issue that crosses my mind on a regular basis, when dealing with new clients. Please see a copy of the newspapers article in question, which has been lettered Z.

Superintendent Comyns, I hope I have been specific enough and have given a thorough account to the background of the events leading up to my request, as I intend on proceeding with a civil case against Garda Colin Dowling, and having my name cleared of the false accusations, with the correct facts printed in the paper, in a step to repairing the damage that was done. I will require the following information, so I can compare the contrasting evidence, Garda Dowling had given in the District court on 23-9-13 and in the Appeals court on 23-6-16.

- Access to the all relevant information to my arrest on 16-3-13, such as length of time of my detention, and if the arresting Gardai received any medical treatment following the alleged assault. Also what is the protocol for violent prisoners who have assaulted Garda when being arrested?

- Access to all relevant information concerning the district court proceeding on 23-9-13, such as Garda statements and evidence given on the day.

- Information concerning section 30, such as grounds for use, Also for what reason and for how long have I been a person of interest that I was subject to the said section, including what measures Gardai have in place to ensure that section 30 is not misused/abused for the purpose of satisfying petty grudges.

These six things the Lord hates,
Yes, seven are an abomination to Him:
A proud look, A lying tongue,
Hands that shed innocent blood, heart that devises wicked plans,
Feet that are swift in running to evil, A false witness who speaks lies,
And one who sows discord among brethren.

Regards, Emmett Corbett

Emmett Corbett

AN GARDA SÍOCHÁNA

An Ceannfort,
An Garda Síochána,
Baile na mBocht,
Corcaigh.

Tel/Teileafón : (021) 4558517.

Fax/Facs : (021) 4558515.

Superintendent,
An Garda Síochána,
Mayfield,
Cork.

Website – www.garda.ie

Please quote the following ref. number : ***MY05.77/13***

Date : **21st June , 2017.**

Mr Emmett Corbett,

Cork.

Re	**Correspondence received on Monday 19th June, 2016.**

Dear Mr Corbett,

I refer to your recent correspondence received on 19th June, 2016. I regret to inform you that I am precluded from supplying the information sought in the absence of a Court Order.

Yours sincerely,

Copy

M. Comyns,
Superintendent.

BL/SM/32/17

27 February 2017

The Sergeant in Charge,
An Garda Siochana,
Anglesea Street,
Cork

RE: Our Client: Emmet Corbett of , Cork

Dear Sergeant,

We confirm that we act on behalf of Emmet Corbett of the above address. Our client has asked us to investigate matters arising from an article published by the Irish Examiner/Evening Echo arising from an alleged incident which occurred in March 2013. A copy of same article is enclosed for easy reference. You will note that Garda Colin Dowling and Garda Keith Mills were the investigating Gardaí.

Given that our client was prosecuted in the District Court and the Circuit Court we are now requesting that you furnish us with copies of all statements, documentation and any other data including audio recordings pertaining to our client so that we can investigate the same. We look forward to hearing from you.

Yours sincerely,

BRIAN LONG
BRIAN LONG SOLICITORS

AN GARDA SÍOCHÁNA

An Ceannfort,
An Garda Síochána,
Baile na mBocht,
Corcaigh.

Tel/Teileafón : (021) 4558517.

Fax/Facs : (021) 4558515.

Superintendent,
An Garda Síochána,
Mayfield,
Cork.

Website : www.garda.ie

Please quote the following ref. number : **MY05.77/13**

Date : **21st April, 2017.**

BL/KEH/32/17

Brian Long Solicitors,
Emmet House,
Barrack Square,
Ballincollig,
Co Cork

Re	**Your Client : Emmet Corbett**

Dear Mr Long,

I refer to your office correspondence dated the 15th March, 2017, in the above connection.

I regret to inform you that I am precluded from supplying the information sought in the absence of a fresh court order.

Yours sincerely,

Copy

M. King,
INSPECTOR for
Superintendent.

Ráiteas Misin / Mission Statement :
'Ag obair le Pobail chun iad a chosaint agus chun freastal orthu'
'Working with Communities to protect and serve'.

GSOC INVESTGATION

In the subsequent documentation you will find the following inconsistent statements:

1. A Custody Record section, in Details of Arrest and /Detention, giving the reason of Section 6 Public Order.

2. A contrasting account given on the 22/02/18 to GSOC by Garda Collin Dowling, that "the offence of section 6, Criminal Justice (Public Order) Act 1994 was sufficient", even though I "lashed out" and "resisted violently"

3. Notes, taken on the 16/03/13 by Garda Keith Mills, which makes no mention of being assaulted due to me lashing out.

4. Notes, taken on the 16/03/13 by Garda Colin Dowling, which makes no mention of being assaulted due to me lashing out.

5. A statement from Garda Keith Mills, on 30/03/13 which makes no mention of being attacked, or lashed out upon, where he states "I do not wish to make any alterations"

6. A contrasting statement from Garda Coilin Dowling on 25/03/13 which alleges I lashed out violently, and arrested me under Section 6.

7. A Custody Record confirming I was held from 15:50-16:10, in the cell for 20 mins, for assaulting two Gardai.

8. A GSOC letter dated 22/02/18, from Graham Batey stating "I lashed out" attempting to punch, but did not make contact.

9. A subsequent document dated 23/06/16, stating that I had a "Full Fight" with the two Gardai.

10. If I was so violent as alleged, then how was it that both arresting Garda, felt safe enough to put me in the back seat of their jeep, which did not have any form of safety barrier, that would had protected them from further attacks, that could be made without the use of hands?

I would like to sincerely point out, without any bravado, that I have been boxing form 12 year of age, alongside other martial arts, from which I have won various championship trophies, and train regularly for reason of health and well-being.

Is it truly plausible that when it was alleged, I was in close contact with two Gardai, that when I lashed out, that somehow, no contact was made, an action which is no major feat to a Toddler?

Also, is it truly plausible, that had the alleged offence really took place, that I would be released from custody after just 20 minutes?

GSOC

Garda
Ombudsman
INQUIRY INDEPENDENCE IMPARTIALITY

Statement of Strategy 2021 – 2023

The Role and Functions of GSOC

The Garda Síochána Ombudsman Commission (GSOC) is an independent statutory agency set up in 2007. Our job is to deal with matters involving possible misconduct by members of the Garda Síochána, in an efficient, effective and fair manner. The main ways that this may arise are as a result of a complaint from a member of the public, the referral of an incident from the Garda Síochána, or because it appears to be in the public interest that a matter be investigated. In so doing, GSOC has an important role in ensuring that the public have confidence in the Garda Síochána.

GSOC's main function is to deal with complaints made by members of the public concerning the conduct of members of the Garda Síochána. There are several different ways these may be dealt with, depending on the nature of the complaint received: Allegations of criminal offences by Gardaí are investigated by GSOC investigators. Allegations of breaches of discipline can be handled in a number of ways, depending on the nature of the matter concerned, including: - Through the Local Intervention mechanism whereby suitable matters, mainly relating to service level complaints, are referred to an Inspector in the Garda Síochána for informal resolution; - Through disciplinary investigation by a Garda superintendent, under the Garda Síochána Discipline Regulations 2007; this may or may not be supervised by a GSOC investigator depending on the nature of the matter; and - Through non-criminal investigation by a GSOC investigator.

In addition to dealing with complaints from members of the public GSOC also has a number of other functions relating to the independent investigation of: Matters in relation to the conduct of gardaí, even if a complaint has not been received, when it is desirable in the public interest to investigate a matter which may indicate that a member of the Garda Síochána may have committed an offence or behaved in a manner that would justify disciplinary proceedings. Such matters may also be referred for GSOC investigation by the Minister for Justice or the Policing Authority. Matters, referred by the Garda Síochána, where it appears that the conduct of a garda may have resulted in the death of, or serious harm to, a person.

GSOC reports the results of its investigations to the Garda Commissioner, who is responsible for taking any appropriate disciplinary action arising from the findings of the investigation. Alternatively, in appropriate cases, a report is made to the Director of Public Prosecutions for consideration regarding the prosecution of any criminal offences arising.

GSOC REF: 320257-06-17
(Please quote this reference no. when contacting the GSOC)

Mr Emmett Corbett

Cork

22/02/2018

Dear Mr Corbett

I am directed by the Garda Síochána Ombudsman Commission ("GSOC") to refer to the complaint which you made in accordance with the Garda Síochána Act, 2005 as amended ("the Act"), on 22 June 2017.

Having conducted an initial examination of the facts of the case and as a result of information obtained after the complaint was determined to be admissible, GSOC has decided to discontinue investigation of the complaint under section 93 (1) (c) of the Act as, given all the circumstances, further investigation is not necessary or reasonably practicable.

The garda members original statements, notebook entries and case file are all consistent in their description of your arrest. They state you "lashed out" and "resisted violently."

When asked what was meant by "lashed out" they stated that you attempted to punch them but did not make contact. When asked if they had considered recommending a charge of assault they stated that the standard set for prosecuting a police assault against an armed member of AGS was very high. As the punch did not make contact they felt the offence of Section 6, Criminal Justice (Public Order) Act 1994 was sufficient.

Attempts were made to identify a potential civilian witness, as provided by you. However despite enquiries at the place of work you mentioned the investigation was unable to identify this witness.

The investigation has been unable to identify sufficient independent evidence to substantiate an allegation of Perjury against Garda Colin Dowling

GSOC will take no further action in this matter.

The Garda Commissioner and the member of the Garda Síochána concerned have been notified of GSOC's decision.

Yours sincerely

Graham Batey
Designated Officer

GSOC Garda
Ombudsman

GSOC Reference: **DP-025-21**

Mr Emmett Corbett

Cork
T23 V2RC

28 July 2021

Re: Request for access to personal data

Dear Mr Corbett,

I refer to your application dated 26 February which you made under the Data Protection Act 2018 ("DPA 2018") for access to your personal data, which is held on the GSOC file **320257-06-17.** I apologise for our delay in responding to your request but we have now reviewed the contents of the file and can provide you with details of your personal data held by GSOC.

Please note that under Article 15 (4) of the General Data Protection Regulation ("GDPR"), GSOC must avoid disclosing information that could identify another individual, unless that other individual has consented to the disclosure.

Case file: 320257-06-17

The above file relates to your complaint submitted to GSOC on 22 June 2017. GSOC determined that your complaint was admissible and that it should be investigated in accordance with section 98 of the Garda Síochána Act 2005, as amended. A criminal investigation was carried out by GSOC and subsequently discontinued. You were notified of this in writing on 22 February 2018.

The personal data held on this file that you are entitled to access, is detailed below. Table 1 lists a description of each document that can be released to you in full. A copy of these documents has been enclosed with this letter.

Table 1: Release Table

Date(s)	Description	Page Number
n/a	File Label	001
28/06/2017	Copy of your complaint with attachments	002 - 004
28/06/2017	Letter from GSOC to you	005
30/06/2017	Copy of s.98 Designation	006
04/07/2017	Letter from GSOC to Internal Affairs, Garda Síochána (AGS)	007
04/07/2017	Letter from GSOC to you	008

Date(s)	Description	Page Number
21/07/2017	Your statement of complaint to GSOC with accompanying documentation.	009 - 024
22/08/2017	Letter from GSOC to you	025
22/02/2018	Letter from GSOC to Garda Internal Affairs	026
22/02/2018	Letter from GSOC to you	027
28/06/2017	Entry from Case Management System related to receipt of your complaint.	028
17/02/2021	Entry from Case Management System related to a phone call from you.	029

In addition to the documents listed above, the file includes documentation containing your personal data but also containing the personal data of other individuals. In my opinion, these documents cannot be released in full to you under Article 15 (4) of the GDPR however, we have provided a précis of your personal data that is contained in each document and listed it below in Table 2.

Table 2: Précis Table

Date(s)	Data Description
29/06/2017	Admissibility Determination. This document contains the following personal data related to you: • Your name, date of birth, address, gender, mobile phone number and email address. • A background to the complaint which states: *"Mr Corbett alleges that during an appeal of charges against him in Cork on 23 June 2016, the member"..... "committed perjury" essentially upgrading the charges against him. It appears this was remarked upon by the Judge and the appeal was allowed. The upgraded charges were subsequently reported in newspapers."* • The allegation admitted that during an appeal of charges against you in Cork on 23 June 2016 a named garda committed perjury. The allegation was admitted and referred to the Director/Deputy Director of Operations. The remainder of the document contains third party personal data and contains no other reference to you.
04/07/2017	GSOC letter to Garda Internal Affairs, advising of the admissible complaint and containing a proposed wording of notification to issue to the named garda member. The notification contains your name and the admitted allegation outlined above. The remainder of the document contains third party personal data and contains no other reference to you.

Date(s)	Data Description
05/07/2017	Letter from GSOC to Garda Internal Affairs requesting information related to your complaint with attached request form. The letter and form contains the following information related to you: • The admitted allegation, already outlined above; • Your name, address • A reference to your arrest and detention at Mayfield Garda Station on 16/03/2013 The remainder of the document does not contain your personal data.
22/08/2017	Letter from GSOC to a third party regarding the investigation into your complaint. The letter contains the following information related to you: • That GSOC has received documentation from An Garda Síochána related to your arrest and prosecution which is currently being reviewed. • That GSOC is attempting to identify a potential witness to your arrest. * The remainder of the letter contains third party personal data which you are not entitled to access in line with Article 15(4) GDPR.
28/12/2017	Letter from GSOC to Garda Internal Affairs regarding the investigation into your complaint. Your name is included in the subject title of the letter and contains the following personal information related to you: *"A statement has been obtained from the complainant and a number of documents in relation to the incident were requested and have been received and reviewed"*. The remainder of the letter contains third party personal data and contains no other reference to you.
* 22/01/2018	Statement made by a third party to GSOC regarding the investigation into your complaint and contains the following personal information related to you: • The person was asked how they were aware of you and replied that *"I was aware of Emmett Corbett's description which I had been provided and his address."* • *"Emmet Corbett was assaultive in that he attempted to punch me but did not make contact and as a consequence I believed that he had committed an offence under the public order act."* • *"As Emmet Corbett did not make direct contact with me and I was able to restrain him...I did not recommend that he be prosecuted for assault."* • *"...Emmet Corbett was convicted..."* The rest of the statement contains third party personal data which you are not entitled to access under Article 15 (4) GDPR.

Date(s)	Data Description
26/01/2018	GSOC Investigation Report outlining the investigation into your complaint. The report contains the following personal information related to you: • *"Mr Corbett was found guilty in his absence at his original trial for a public order offence in 2013. Mr Corbett appealed against this conviction in 2016 and alleges that Garda member gave false evidence which differed from evidence provided in the original trial."* • *"A statement was obtained from the complainant Emmett Corbett. In his statement he alleged that when he was arrested for public order offences he made no attempt to resist his arrest. He states that he then left the state to pursue work abroad and whilst away he became aware that he has been prosecuted in his absence at a trial in 2013. On his return he appealed against his conviction and in 2016 he was successful in his appeal. He states that"* a named garda *"committed perjury during this trial in that he accused him of "lashing out".* • It is noted that you provided witness details. • *"Mr Corbett was of the belief that the evidence of the garda member differed between the two trials however he was not present for the initial trial and was of this opinion based on the fact that he was not charged with assault."* • It is noted that the garda documentation are all consistent in their description of your arrest. They state *"Mr Corbett "lashed out"* and *"resisted violently".* • It is noted that, when asked, a garda member stated that *"Mr Corbett attempted to punch him but did not make contact."* This report contains third party personal data which you are not entitled to access under Article 15(4) GDPR.
10/07/2017	Manual entry on the GSOC Case Management System related to tasks associated with the investigation. Part of the entry relates to contact with you from Investigation Officer Graham Batey, who states the following: *"I have spoken with the complainant. He is in court attempting to obtain the court recordings of the case incolved [sic] in this matter on Friday 14/07/2017 and I will meet with him that afternoon to obtain a statement."* There is no other reference to you in this entry.

Section 60 of the Data Protection Act, 2018

In addition to the material outlined in Tables 1 and 2, your personal data is also contained in documents associated to the criminal investigation conducted by the Garda Síochána related to your GSOC complaint. As such, access to these documents is restricted under section 60 (3) (ii) of the DPA, 2018 as the material is kept by the Garda Síochána for the purposes of the investigation, detection or prosecution of a criminal offence.

Case Management System

As well as the documents listed above, GSOC holds data relating to you on its (electronic) Case Management System (CMS) which is used to process complaints received by GSOC. The personal details contained on the CMS which could be used to identify you include your name, date of birth, address, mobile telephone number and gender. Please note that these details were provided by you in your complaint.

Identification Documentation

I wish to confirm that this office will not retain the copy of your submitted identification records. On the closure of your request these records will be destroyed.

Queries, appeals, etc.

If you are not satisfied with GSOC's decision in relation to the provision of the requested documentation, please be advised that you may contact the office of the Data Protection Commissioner, 21 Fitzwilliam Square South, Dublin 2, D02 RD28 at https://www.dataprotection.ie/docs/Raise-a-Concern/1715.htm or email info@dataprotection.ie .

Should you have any queries in relation to the above please do not hesitate to contact me on 1890 600 800 or at dataprotection@gsoc.ie .

Yours sincerely,

Louise O'Meara

Louise O'Meara
Data Protection Officer

Statement of Evidence of Garda Keith Mills, 29375L of Anglesea St Garda Station
Cork made on 30th March 2013 at Anglesea St Garda Station, Cork

I hereby declare that this statement is true to the best of my knowledge and belief and that I make it knowing that if is tendered in evidence I will be liable to prosecution if I state in it anything I know to be false or do not believe to be true.

I am a member of An Garda Síochána attached to the Regional Support Unit at Anglesea St Garda Station Cork. On Saturday the 16th of March 2013 I was on duty accompanied by Garda Colin Dowling. At approximately 15.15hrs I was driving along Wellington Road, Cork when I observed a male who is now known to me as Emmet Corbett D.O.B Victoria Terrace, St Lukes, Cork. Garda Dowling was aware of this person by name only. We stopped Emmet Corbett at Wellington Road, Cork and made a lawful demand for his name and address under Section 30 Offences Against The State Act 1939/98. Emmet Corbett refused to give his details having being asked on numerous occasions. Mr Corbett was then informed that he was going to be searched in accordance with Section 30 Offences Against The State 1939/98. Mr. Corbett refused to be searched. Mr Corbett became confrontational and was refusing to be searched. There was a number of members of the public present at this stage. He began to clench his fists, and began acting in a threatening manner towards myself and Garda Dowling. Garda Dowling informed Mr. Corbett that he would be arrested for a breach of Section 6 Criminal justice Public Order if he continued his behaviour. Mr. Corbett stated "I won't give you my name and you're not fucking searching me". Upon refusal Garda Dowling arrested Mr. Corbett. I assisted Garda Dowling. Mr. Corbett had to be forcibly placed in handcuffs and restrained as he was non compliant. Mr. Corbett was cautioned by Garda Dowling as follows "You're not obliged to say anything unless you wish to do so, but, anything you do say will be taken down in writing and maybe given in evidence". Mr. Corbett was conveyed to Mayfield Garda Station.This statement has been read over by me and is correct. I do not wish to make any alterations

Signed: - Garda 29375L
(KEITH B. MILLS)

Statement of Evidence of Garda Colin Dowling, 29435G, of Anglesea Street Garda Station, Cork, made on 25th March 2013 at Anglesea Street Garda Station.

I hereby declare that this statement is true to the best of my knowledge and belief and that I make it knowing that if it is tendered in evidence I will be liable to prosecution if I state in it anything, which I know to be false, or do not believe to be true.

I am a member of An Garda Siochana attached to the Regional Support Unit, based at Anglesea Street Garda Station, Cork. While on duty on 16th March 2013 at approx. 3.15pm, I observed a male, who I now know to be Emmet Corbett of Cork, walking on Wellington Road, Cork, a public place. Gda. Keith Mills accompanied me. Emmet Corbett was known to me, but I had never met him in person. Gda. Mills and I approached Emmet Corbett with the intention of demanding his particulars and searching him under Sect. 30 Offences Against the State Act 1939/98. It was necessary for me to demand Emmet Corbett's particulars, in order to verify his identity. I stopped Emmet Corbett and demanded his name and address under Sect. 30 Offences Against the State Act 1939/98; Emmet Corbett refused to provide his particulars to me. I then informed Emmet Corbett that I was searching him under Sect. 30 Offences Against the State Act 1939/98. Emmet Corbett refused to be searched and became extremely threatening and abusive towards Gda. Mills and me. Emmet Corbett acted in a very threatening manner, as if looking for a fight, with his fists clenched. There were a number of members of the public present watching the incident. Emmet Corbett refused to cooperate with me. I cautioned Emmet Corbett that if he continued his threatening and abusive behaviour, I would arrest him for public order offences. Emmet Corbett immediately became violent, lashing out at Gda. Mills and me. At 3.15pm on Wellington Road, a public place, I arrested Emmet Corbett under Sect. 24 Criminal Justice (Public Order) Act 1994 for an offence under Sect. 6 of the said act. It was necessary for me to handcuff and restrain Emmet Corbett. I cautioned Emmet Corbett saying, "You are not obliged to say anything unless you wish to do so, but anything you say will be taken down in writing and may be given in evidence". Gda. Mills and I conveyed Emmet Corbett to

Mayfield Garda Station. I have read over this statement and it is correct.

Signed: ______________ Gda. 29435G

(COLIN DOWLING)

P.IDS: 9753916 + 9753392.

D: SATURDAY.   L.G: 1139633.
D: 16/03/13.
T: 3.15 pm
P: WELLINGTON RD., A PUBLIC PLACE - SECT 6 POA; ARREST(D) 3.15 pm.
EMMET CORBETT
DOB: [redacted]
APT. [redacted],
VICTORIA TCE.,
[redacted] NORTH,
CORK
CAUTION(D): NO REPLY

STOPP(D) UNDER SECT 30 OASA 1939/98. DEMAND(D) NAME + ADDRESS BUT REFUS(D) TO FURNISH SAME. INFORM(D) S/O THAT I WAS SEARCHING HIM UNDER SECT. 30 OASA; REFUS(D) TO BE SEARCH(D) AND BECAME EXTREMELY THREATENING + ABUSIVE. WHEN INFORM(D) THAT HE WOULD BE ARREST(D) IF HE REFUS(D) TO FURNISH HIS DETAILS + BE SEARCH(D), S/O LASH(D) OUT AT GARD. + ARREST(D). HAD TO BE RESTRAIN(D) + HANDCUFF(D). CONVEY(D) TO MAYFIELD G.S.

— CH.SH. 06/05/13. CONVICT(D) 23/09/13 - FIN(D) €500. APPEAL ALLOW(D) 23/06/16.

[redacted]

D Saturday
D 16.03.13
T 15.15
P Wellington Rd

Emmet Corbett

Victoria Tce

Stopped male @ Wellington Rd to confirm identity.
Refused name/address, sub arrested & become agessive towards Gardaí.

[redacted]

Station Mayfield District Mayfield Incident PULSE I D No

A. DETAILS CONCERNING PERSON IN CUSTODY

Name emmett corbett
Address A.M [redacted] Victoria [redacted]
Phone No. ______ Alias ______ Sex Male
Date of Birth [redacted] Marital Status ______ Nationality Irish
Asylum No. ______ Height 5'11" Hair Colour no hair
Eye Colour ______ Build ______ Complexion ______ Facial Hair ______
Eye Type ______ Any Distinguishing Marks / Deformities / Amputations / Scars / Facial / Tattoo / Alerts on wrists - shamrock on should

Foreign Nationals

Regulation 14

Is an interpreter required Yes ☐ No ☐ Time of request ______ Time of arrival ______
Name of requesting member ______
Name of Interpreter ______
Arrested person informed that he may communicate with his Embassy or Honorary Consul Yes ☐ No ☐
Details of any request made by arrested person ______
Time request made ______ Time request complied with ______
Details of any communication forwarded to Consul ______

Signature of Member Kieran Coughlan

B. DETAILS OF ARREST / DETENTION

Offence(s) in respect of which arrest / detention was made
Section 6 Public order

Time of Arrest / Detention 15.15. Date 16.3.13
Name of Arresting / Detaining Member Gd Colm Dooley
Place of Arrest / Detention wellington road
Arrival at station – Time 15.35 Date 16.3.13

B1. CONDITION OF PERSON IN CUSTODY ON ARRIVAL AT STATION

Is there: (i) evidence of alcohol? Yes ☐ No ☒ (ii) evidence of drugs? Yes ☐ No ☒
(iii) visible sign of injury? Yes ☐ No ☒
If yes, to either above, or any other relevant information concerning person's physical or mental condition, give details
no

Questions to ask the arrested / detained person

(i) Are you injured or suffering from any illness or medical condition? Yes ☐ No ☒
Reply
(ii) Are you currently taking any medication, tablets or drugs of any kind? Yes ☐ No ☒
Reply
(iii) Have you consumed alcohol recently, if so when? Yes ☐ No ☒
Reply
(iv) Have you any special dietary requirements? Yes ☐ No ☒
Reply

B2. Garda Action

Is a doctor required? Yes ☐ No ☒ Doctor's name *(capital letters)* ______
Phone No. ______ Requested by ______
Requested at *(Time)* ______ *(Date)* ______
Examination carried out *(Time)* ______ *(Date)* ______
Doctor's instructions regarding medication/diet to be given whilst in custody *(if applicable, quantity and times should be printed clearly)*
To be completed by the Member I/C

Signature of Member Kieran Coughlan Date 16.3.13

C. INITIAL ACTION TAKEN

Information given to the person in custody in accordance with Regulation 8(1)
Time 15.37 Date 16.3.13 Signature of Member K. Coughlan
Notice of Rights (Treatment of Persons in Custody) Provided - Regulation 8(2)
Time 15.42 Date 16.3.13 Signature of Member K. Coughlan
I acknowledge receipt of notice of rights.
Signature of person in custody refused to sign
Remarks:

D. SEARCH OF PERSON IN CUSTODY

Regulation 17

Person in custody informed of reason for search Yes ☒ No ☐
Informed by Kier Coughlan
Time informed 15.45
Name of member(s) / person(s) conducting search Kieran Coughlan
Name(s) of others present ______
Signature of Member Kieran Coughlan Date 16.3.13

E. PROPERTY SECTION

Item No.	Property of person in custody	Tick as appropriate	
		Section A Returned	Section B Retained

(Strike through unused columns)

I confirm that I have taken possession of my property listed at section A above. I have been informed that my property listed at Section B above is being retained by the Garda Síochána for investigative purposes.
Signature of person in custody ______
Date ______ Time ______
I confirm that property listed at Section B above is being retained for investigative purposes
Signature of Member ______ Date ______ Time ______

F. STATUS OF ARRESTED/ DETAINED PERSON

Complete or tick as appropriate
- ☐ Section 4 Criminal Justice Act, 1984
- ☐ Section 2 Criminal Justice (Drug Trafficking) Act, 1996
- ☐ Section 30 Offences Against the State Act, 1939, as amended
- ☐ Section 50 Criminal Justice Act 2007
- ☐ Section 42 Criminal Justice Act, 1999, as amended
- ☐ Other ______

G. NOTIFICATION TO SOLICITOR OR OTHER PERSON

Regulation 9

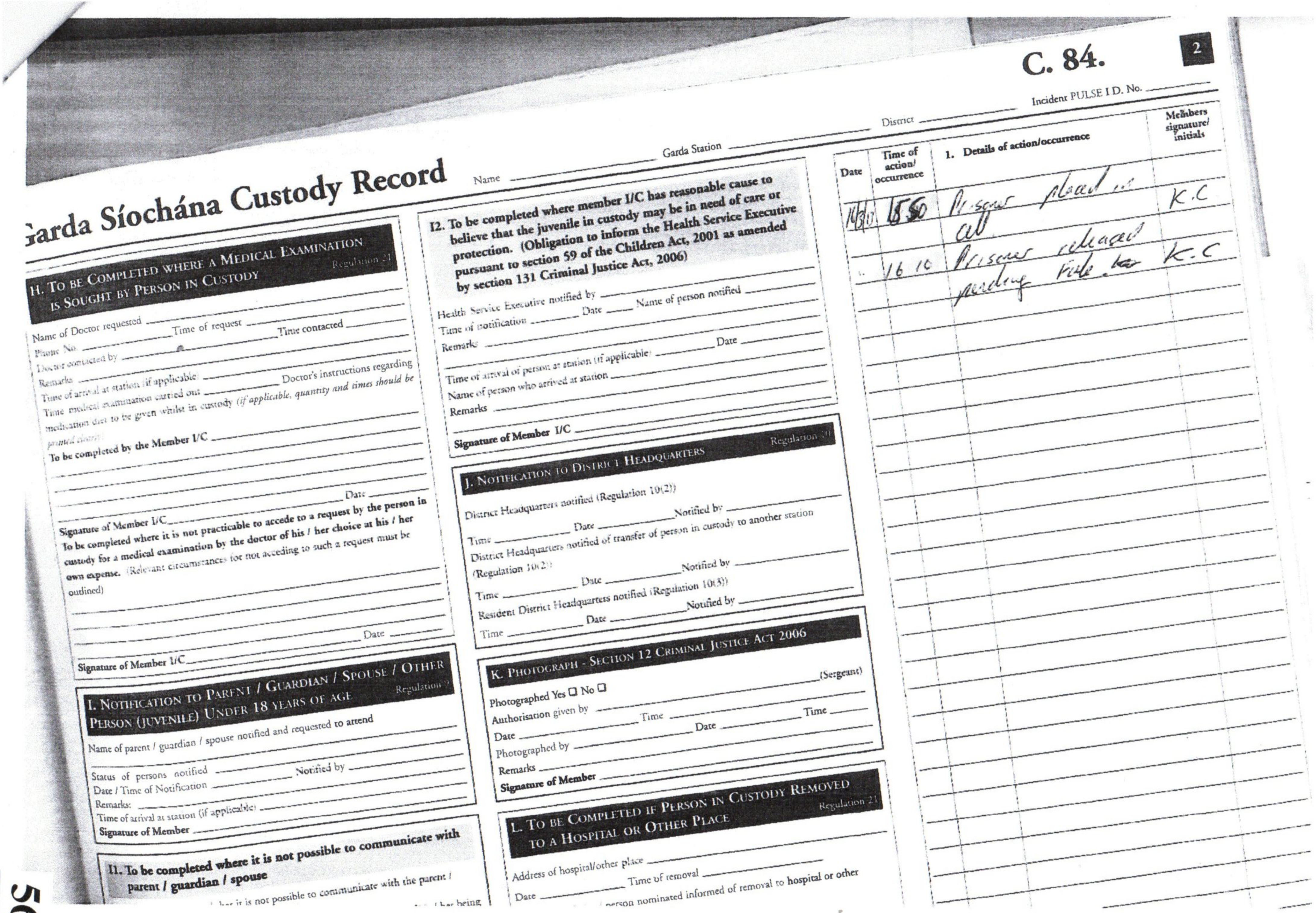
To be completed where notification to solicitor or other person is requested by person in custody (or in the case of a juvenile a request by the juvenile / parent / guardian /spouse or other person)
Name of person requesting solicitor / other person ______
Time of request ______
Name of solicitor / other person to be notified ______ Phone no. ______
Time solicitor / other person notified ______ Notified by ______
Remarks ______

Time of arrival at station (if applicable) ______
Signature of Member ______

G1. To be completed where the solicitor or other person cannot be contacted within a reasonable time or where the solicitor is unable or unwilling to attend.

Person in custody informed Yes ☐ No ☐
Time informed ______ Informed by ______
Person in custody given an opportunity to ask for another solicitor or that another person reasonably named by him / her be notified Yes ☐ No ☐
Name of other solicitor or other person requested by the person in custody ______ Time of request ______
Time solicitor or other person notified ______ Notified by ______
Remarks: ______

Time of arrival at station (if applicable) ______
Signature of Member ______



C. 84.

2

Incident PULSE I.D. No. ______

Garda Síochána Custody Record

Name ______ Garda Station ______ District ______

H. To be Completed where a Medical Examination is Sought by Person in Custody

Regulation 21

Name of Doctor requested ______ Time of request ______ Time contacted ______
Phone No. ______
Doctor contacted by ______
Remarks ______ Doctor's instructions regarding
Time of arrival at station (if applicable) ______ medication diet to be given whilst in custody *(if applicable, quantity and times should be*
Time medical examination carried out ______ *printed clearly)*
To be completed by the Member I/C ______

______ Date ______

Signature of Member I/C ______

To be completed where it is not practicable to accede to a request by the person in custody for a medical examination by the doctor of his / her choice at his / her own expense. (Relevant circumstances for not acceding to such a request must be outlined)

______ Date ______

Signature of Member I/C ______

I. Notification to Parent / Guardian / Spouse / Other Person (Juvenile) Under 18 Years of Age

Regulation 9

Name of parent / guardian / spouse notified and requested to attend ______
Status of persons notified ______ Notified by ______
Date / Time of Notification ______
Remarks: ______
Time of arrival at station (if applicable) ______
Signature of Member ______

I1. To be completed where it is not possible to communicate with parent / guardian / spouse

... her it is not possible to communicate with the parent / ... / her being

I2. To be completed where member I/C has reasonable cause to believe that the juvenile in custody may be in need of care or protection. (Obligation to inform the Health Service Executive pursuant to section 59 of the Children Act, 2001 as amended by section 131 Criminal Justice Act, 2006)

Health Service Executive notified by ______ Date ______ Name of person notified ______
Time of notification ______
Remarks ______ Date ______
Time of arrival of person at station (if applicable) ______
Name of person who arrived at station ______
Remarks ______
Signature of Member I/C ______

J. Notification to District Headquarters

Regulation 10

District Headquarters notified (Regulation 10(2))
Time ______ Date ______ Notified by ______
District Headquarters notified of transfer of person in custody to another station (Regulation 10(2))
Time ______ Date ______ Notified by ______
Resident District Headquarters notified (Regulation 10(3))
Time ______ Date ______ Notified by ______

K. Photograph - Section 12 Criminal Justice Act 2006

Photographed Yes ☐ No ☐ ______ (Sergeant)
Authorisation given by ______ Time ______ Time ______
Date ______ Date ______
Photographed by ______
Remarks ______
Signature of Member ______

L. To be Completed if Person in Custody Removed to a Hospital or Other Place

Regulation 21

Address of hospital/other place ______
Time of removal ______
Date ______ person nominated informed of removal to hospital or other

Date	Time of action/ occurrence	1. Details of action/occurrence	Members signature/ initials
16/3/10	1550	Prisoner placed in	K.C
		cell	
	16 10	Prisoner released	K.C
		pending File.	

[redacted]

SA 20160229 (51.00) [redacted]

DPP (GDA DOWLING, COLIN) -V-
CORBETT, EMMET JAMES
DOB:
A:2016/1545

Offence:	Conviction:	Witnesses:	Result:
Sec. 6 P.O.	500 fine	Gda. Colin Dowling. Gda. Keith Mills.	**Full fight**. Adj. peremptory against the State. Adj. to 23rd June, 2016 peremptory against the State.

[redacted]

[redacted]

FALSE IMPRISONMENT & POSSESSION OF KNIVES

On the 17.07.2017 I was out socialising with a friend, at bar in in Cork city.
While there, an altercation instigated, in which I attempted to leave the premises, but was refused under duress, even after several attempts, I was kept against my will, by door staff, who have no powers to detain anyone against their will, which was a very stressful ordeal to say the least.

I was subsequently locked in a cage, in the back of a Garda vehicle, and brought to the local Bridewell Garda station.
While there several Garda present at the station, began shouting at me, saying "do you know the law" as if it was a bad thing to know, and then locked me in a cell.

While in the cell, the lights were turned off, where I was locked in complete darkness, and when I asked for water on several occasions, I was not answered.

On release from the Garda station, after approximately 5 hours in custody, I was given back my belongings, but while putting them into my pockets, the same Garda who was on the desk, caught my belongings, and stuffed it into my pockets, then pushed me out the door.

On the 15/09/2017 I made a voluntary statement to Garda David O Donovan concerning what happened on 17/07/2017, where he informed me, before the interview, that I was responsible for injuring one of the people involved
At this I was surprised, as I had no recollection of this occurring, and began to question my recall, however, it soon came to light, that the alleged incident never happened at all.

When speaking to a friend about the matter, I became aware that the person who its was alleged to have been assaulted, lived in the same area as me.
I undertook to apologise, for what I was told I had done, but when speaking with him, he informed me that that it was no big deal, and that no assault had taken place, and that the Guards kept ringing him to make a statement to the contrary.

Also, I spoke with one of the door staff, who was present at the time, but who no longer works at the premises, who had also informed me that, the door staff were following Garda instructions to keep me held against my will, until on duty Gardai arrived.

I did ring the Garda station, and spoke with then Inspector Vinny O Sullivan who informed me over the phone, that he could not do anything about the door staff's false imprisonment.

The knives involved, came under the Firearm and Offensive Weapons Act, one of which was a keyring that I use for clipping my nails, and the other was a swiss army knife that I use on my trees and eating fruit, that was so small, I has forgotten that it was even in the small right hand pocket, which is found on most pair of jeans.
Both items were subsequently returned to me.

These events can be corroborated by witnesses on the night.

Not long after this happened, An Garda Siochana carried out an exercise, in the same night club, which was played live over the local radio station, in where a crazed knife wielding lunatic, had taken a punter hostage.

While listening to this at work, I had to stop what I was doing, as I couldn't believe what I was hearing, that being women screaming and then roaring and shouting, where the Guards stormed the dance floor, to take down the attacker.

At this, I shook my head in disappointment, and conjectured what dramatic version of events, were relayed to the participants in this role play.

I do believe that I am subject to tribal knowledge with certain members of Cork city Garda, and that this unsolicited familiarity, has put me in the bad books with them.
I also believe the reason for this, is not because I'm a knife wielding lunatic, but because I had exercised my democratic right to challenge them, in a lawful setting, and that any Garda, that can give me my come-upping's, for daring to take them on, will earn their initiate stripes within the group.

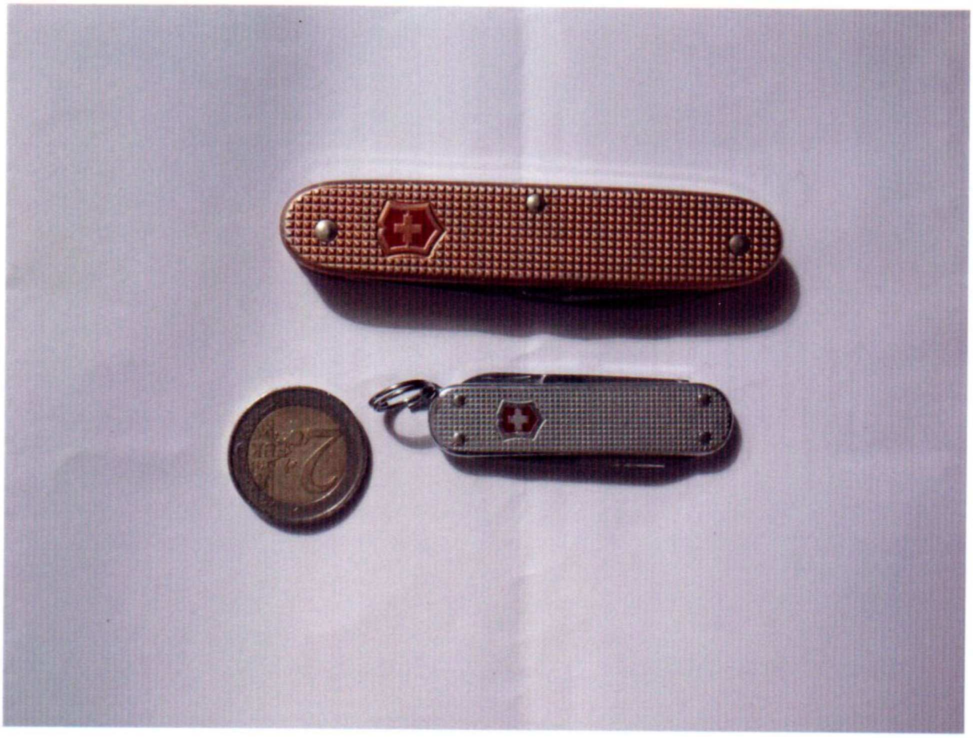
Unfortunately for me I suspect the group is growing.

Please see attached photos of the knives in question, scaled next to a 2-euro coin.

Non-Convictions

Court:	Date:	Offence:	Result:
Cork City Ct. No. 1 Washington Street	09/04/2018	Possession Of Knives And Other Articles	Strike Out – Not Served
Cork City Ct. No. 1 Washington Street	09/04/2018	Threatening/Abusive/Insulting Behaviour In A Public Place	Strike Out – Not Served
Cork City Ct. No. 1 Washington Street	09/04/2018	Assault	Strike Out – Not Served
Cork City Court No. 1	23/09/2013	Threatening/Abusive/Insulting Behaviour In A Public Place	Fine: €500(Appeal Succesfsul
Cork City Court No. 1	04/01/2007	Parking On A Footway – (Registered Owner)	Struck Out With Leave To Re-enter
Cork City Court No. 1	04/01/2007	Parking On Double Yellow Lines (Traffic Sign number RRM 008) – (Registered Owner)	Struck Out With Leave To Re-enter

Firearm and Offensive Weppons



S5

Statement of evidence of Garda David O Donovan 33364F of Anglesea Street Garda Station made on 23.12.17. I hereby declare that this statement is true to the best of my knowledge and belief and I make it knowing that if it tendered in evidence that I will be liable to prosecution if I state in it anything I know to be false or do not believe to be true.

I am a member of An Garda Síochana stationed at Anglesea Street Garda Station. On the 17th July 2017 I was on mobile patrol of the city centre accompanied by Garda Liz McCarthy. At approximately 01:45am we attended at Havana Browns, Hanover Street, Cork to an alleged assault. On arrival I met with security staff at an exit door who were in the company of a male. Security alleged that this male was involved in an altercation in the premises and that there was another male at another exit who was assaulted. Garda McCarthy left to speak with the other male. I spoke with the male that was present and he provided his details as Emmet Corbett Cork. I noted the details of Emmet Corbett. I asked him for identification and he informed me that he wasn't in possession of any and invited me to check his pockets. Emmet Corbett took out car keys from his pocket which had attached to them a small Swiss pen-knife. I then searched the pockets of Emmet Corbett and located a larger Swiss pen-knife in his right jeans front pocket. I seized both Swiss pen-knives under Section 7 of the Criminal Justice Act 2006. Garda McCarthy returned after taking details of the other male when she furnished to me. At 02:55am I arrested Emmet Corbett under Section 4(3) of the Criminal Law Act 1997 for an offence of Section 9(1) of the Firearm and Offensive Weapons Act 1990. I cautioned him as follows "you are not obliged to say anything unless you wish to do so but anything you do say will be taken down in writing and may be given in evidence" and conveyed him to the Bridewell Garda Station. Emmet Corbett's identity was confirmed and he was later released from custody pending further investigations. I later labelled the Swiss pen-knife as an exhibit DOD1 and photographed it and labelled the photograph DOD1a. I labelled and the smaller Swiss pen-knife as an exhibit DOD2 and photographed it and labelled the photograph DOD2a. The pen-knives were later lodged in PEMS for storage. [redacted] On the 15.9.17 Emmet Corbett attended at the Bridewell

Garda Station in a voluntary capacity. I accompanied him to an interview room. I cautioned him as follows "you are not obliged to say anything unless you wish to do so but anything you do say will be taken down in writing and may be given in evidence" and informed that he was attending voluntary and was free to leave at any stage. I also informed him that he was entitled to consult a solicitor. I obtained a cautioned memo from Emmet Corbett which I recorded in writing. Emmet Corbett admitted to being in possession of the pen-knives at Havana Browns on the 17.7.17. On conclusion of the memo I read it over to him and invited him to make any alterations or additions and he signed the memo to state it was correct. Mr. Corbett then left the station [redacted]. I have read over this statement and it is correct.

Garda 33364F

(David O Donovan)

Exhibit DOD4

Cautioned Statement of Emmet Corbett DOB Cork.

Taken on the 15th September 2017 at Bridewell by Garda David O Donovan 33364F. Emmet Corbett having been first cautioned by Garda O Donovan as follows "you are not obliged to say anything unless you wish to do so but anything you do say will be taken down in writing and may be given in evidence".

Q. Do you understand the caution?

A. Yeah

Q. Are you aware that you are here of your own free will, you are not arrested and you are free to leave at any stage?

A. Yeah

Q. Do you wish to consult with a solicitor before we proceed?

A. No

Q. Do you recall being in Havana Browns nightclub on the 17th July 2017?

A. Yeah

Q. Tell me what happened in there?

A. Basically I was out with a friend of mine that afternoon. We decided to go for a spontaneous pint and ended up going to a few different pubs, the last pub we went to was Reardons and while in there, there was a nightclub upstairs so we decided to go upstairs. While we were upstairs we noticed the crowd was very young. It was messy, people bumping off each other and we decided to leave it because it was too messy. As we were leaving one of the staff members mentioned the Secret Garden to try that. While in the Secret Garden a minor scuffle broke out and a standoff until the bouncers took me to one side and held me until the guards arrived.

Q. Describe the scuffle?

A. I don't recall. I think it was just a push away.

Q. What happened next?

A. The bouncers took me to one side, he asked me what happened, to which I replied that I don't remember or was unsure and they refused to let me leave the building. They helad me there against my will. When I persisted I was physically restrained with force so I gave up trying to leave because it might have escalated and I didn't want to be further assaulted. Then Gardai came on the scene.

Q. What happened when Gardai arrived?

A. Gardai asked my details which I was co-operative and we left for the Bridewell.

Q. Did you punch or strike anyone in the nightclub during the scuffle?

A. No I don't think so, a push away. I am unsure, as far as I can remember.

Q. When I was speaking with you in Havana Browns, a pen-knife was located in your pants pocket. Do you accept this?

A. Yeah that's correct.

Q. Emmet Corbett shown exhibit DOD1 a Swiss pen-knife. Is that your pen-knife that was found on you in Havana Browns on 17.7.17?

A. Yeah correct that's mine.

Q. Why did you have it in your possession?

A. I was unaware it was in my pocket. I use the knife for multiple purposes most recently grafting trees to which I have a documented history to which I can confirm this to be true.

Q. There was also a smaller pen-knife, exhibit DOD2 attached to your keyrings. Do you accept this?

A. Yeah it's a keyring that I use for personal grooming and tasks every day.

Q. Do you accept that it is yours (shown exhibit DOD2) and you were in possession of it on the 17.7.17?

A. Yeah it's mine.

Q. Were you working on the 17.7.17?

A. No I don't believe I was but I would have been in the back garden that morning.

Q. Do you accept that you were in possession of a Swiss pen-knife in Havana Browns on 17.7.17 and a smaller Swiss pen-knife aswell?

A. Yeah

Q. Do you wish to say anything else?

A. I'd like to say I didn't plan on going out that day and was unaware that it was in my jeans. I didn't think there would be a problem with them. I was totally unaware there were in my pocket. The smaller knife I would use occasionally at work as you can tell that there are some painting materials on the knife.

Q. Do you wish to make any alterations or additions?

A. I do not bring knifes out to intentionally cause harm as it is a Swiss Army knife and not a box-cutters.

This memo has been read over to me and it is correct. I have been invited to make any alterations or additions that I deem necessary but I do not wish to.

Signed: *Emmet Corbett*

Witnessed: David O Donovan Garda 33364F

Time: 21:44

Date: 15.9.17

ANOTHER DUBIOUS COURT HEARING

This matter concerns a court hearing, for a parking offence, in the Cork District court, on 04/01/2007, which was struck out with leave to re-enter, but was never re-entered for hearing.

What happened on that day, as serendipity would have it, was that I had went into traffic court with a friend who was summons, and while in the court with my friend, I heard my own name being called, at this I was indeed confused, as I was not summons, nor had I received any summons.

As I approached the judge, I saw a Garda, who I believe to be Liam P O Connor, sitting in the witness box, about to give evidence, but when he saw me approaching, I remember the look of surprise on his face, and then the Guard saying something to the judge, and leaving the witness box.

At the time I was also surprised, as my name Emmett Corbett is not a common name in Cork city, and as I approached the Guard with my hand put forth to shake his hand, to introduce myself and find out what the mix-up was, he refused to shake my hand, and then beckoned me with a head movement to speak outside the courtroom.

When outside the door, he soon left my company without giving any plausible explanation.

Recently I applied for my file under Data Protection, and noticed the said matter in the non-convictions section, (please see attached print off) and had called into Anglesea street Garda station, requesting a phone call from Liam P O Connor, which I never received.

On looking more into the matter, the date of the alleged offence was said to have taken place on 14th May 2006 at Gould street Cork city, an area which I have nothing to do with, nor, to the best of my recollection, had never even been, up to recently.

Also, the date of the alleged offence, just happened to be around the time of my grandfather's funeral, and although this took place in May 2006, I would have no problem accounting for my movements, as I would have been around family and friends at the time.

Considering all the above, I recently acquired the court orders for the alleged offence, which states that I pleaded guilty. However, I never pleaded guilty, I didn't even speak to the judge, nor was I convicted on the matter, also my Garda file states that it was struck out with leave to re-enter. I can only surmise that this yet another court order that was retroactivity edited, and an attempt to place me in an area at a certain time, to have me convicted in my absence for not turning up in court, for an offence I had never committed.

I would not be at all surprised if this was a tactic used by Garda Liam P O Connor more than once, to secure convictions, and thus bolster his career.

This matter can be substantiated if DAR was to be granted.

RP004 O.35 r.1

AN CHÚIRT DÚICHE **THE DISTRICT COURT**

BY ORDER OF JUDGE UINSIN MAC GRUAIRC
JUDGE OF THE DISTRICT COURT
ASSIGNED TO SAID DISTRICT

District Court Area of CORK CITY District No. 19

CASE NO S:2006/173778 CHARGE NO 2

PROSECUTOR: The Director of Public Prosecutions at the Suit of Garda LIAM P O CONNOR Mitchelstown
Accused: EMMETT CORBETT
, CORK

At the sitting of the Court at Cork Court No.1, District Court Courthouse, Anglesea Street, Cork City, Co Cork in the Court area and district aforesaid
on the 04-Jan-2007, a complaint was heard and determined that the above-named accused of
CORK

On the 14/05/2006 at Gould Street Cork Cork a public place, in the said District Court Area of Cork City , were the registered owner of vehicle registered number 01LK536 , which was parked on that side of a section of roadway along the edge of which traffic sign number RRM 008 (Double yellow lines) has been provided, in contravention of Article 36(2)(a) of the Road Traffic (Traffic and Parking) Regulations, 1997.

Contrary to Section 35(5) of the Road Traffic Act, 1994 and Section 102 Road Traffic Act, 1961 (as amended by Section 23 of the Road Traffic Act 2002).

and the said defendant having pleaded guilty

It was adjudged that the said complaint be struck out

Pursuant to the order of the above named Judge

Dated this: 4/1/2007

Signed ______________________________
District Court Clerk assigned to the said District

I certify that the above is a true copy of the original which is held in my custody.

Signed: ______________________
Clerk of the District Court

Dated: 17/5/2022

RP404 O.35 r.1

AN CHÚIRT DÚICHE **THE DISTRICT COURT**

BY ORDER OF JUDGE UINSIN MAC GRUAIRC
JUDGE OF THE DISTRICT COURT
ASSIGNED TO SAID DISTRICT

District Court Area of CORK CITY District No. 19

CASE NO S:2006/173778 CHARGE NO 1

PROSECUTOR: The Director of Public Prosecutions at the Suit of Garda LIAM P O CONNOR Mitchelstown
Accused: EMMETT CORBETT
, CORK

At the sitting of the Court at Cork Court No.1, District Court Courthouse, Anglesea Street, Cork City, Co Cork in the Court area and district aforesaid
on the 04-Jan-2007, a complaint was heard and determined that the above-named accused of
, CORK

On the 14/05/2006 at Gould Street Cork Cork a public place in the said District Court Area of Cork City , were the registered owner of a vehicle registered number 01LK536 which was parked on a Footway, in contravention of Article 36(2)(i) of the Road Traffic (Traffic and Parking) Regulations, 1997.

Contrary to Section 35(5) of the Road Traffic Act, 1994 and Section 102 Road Traffic Act, 1961 (as amended by Section 23 of the Road Traffic Act 2002).

and the said defendant having pleaded guilty
It was adjudged that the said complaint be struck out

Pursuant to the order of the above named Judge

Dated this: 4/1/2007

Signed ______________________
District Court Clerk assigned to the said District

I certify that the above is a true copy of the original which is held in my custody.

Signed: ______________________
Clerk of the District Court

Dated: 17/5/2022

COURT OUTCOMES

Convictions

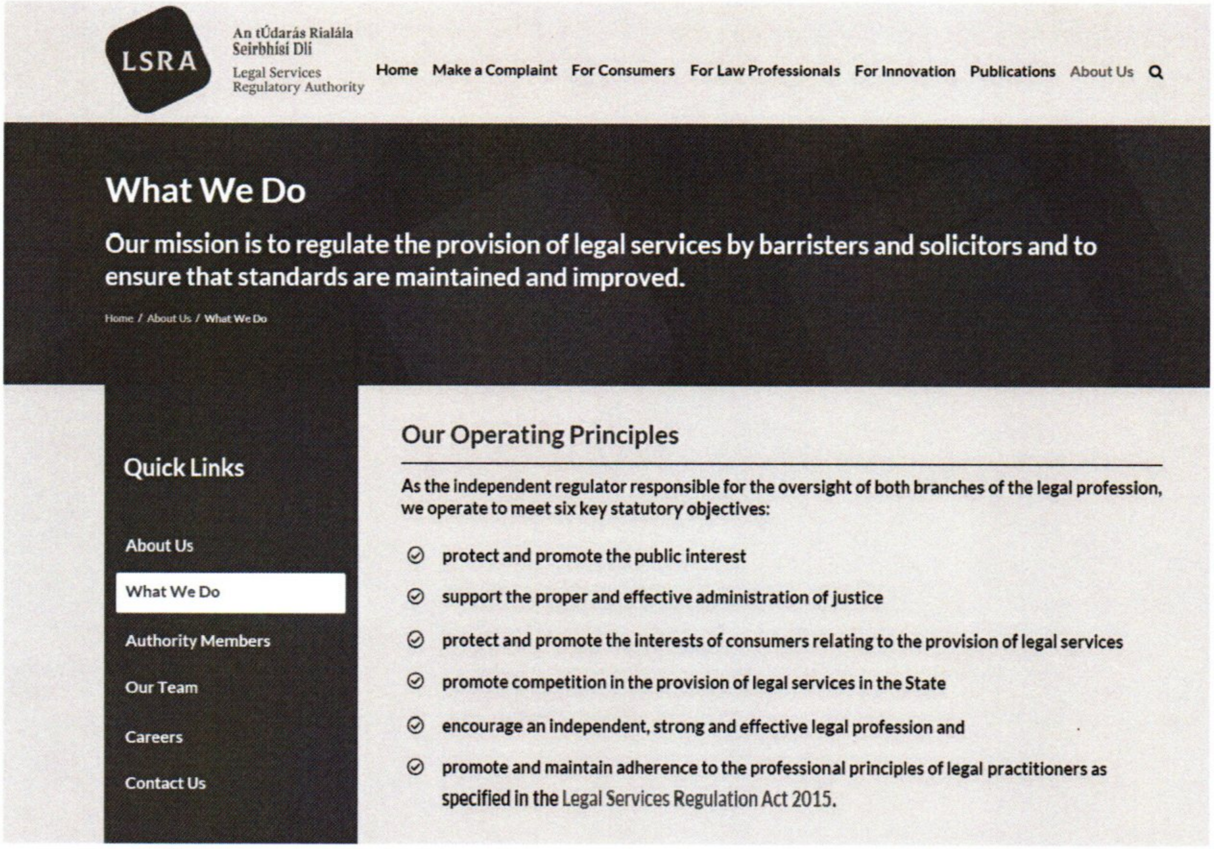
Court:	Date:	Offence:	Result:
CCJ Cork Court No. 3	10/06/2019	Parking At An Appointed Taxi Stand (Traffic Sign number RUS020 in Association with RRM 029) –(Registered Owner)	Fine: €100
Cork City Court No. 1	05/06/2007	Failing to Display A Current Vehicle Licence – Use (Non Display of a Tax Disc).	Fine: €100
Cork City Court No. 1	04/01/2007	Failing to Display A Current Vehicle Licence – Use (Non Display of a Tax Disc).	Fine: €100
Cork City Court No. 1	11/03/2005	Threatening/Abusive/Insulting Behaviour In A Public Place	Fine: €100

Non-Convictions

Court:	Date:	Offence:	Result:
Cork City Ct. No. 1 Washington Street	09/04/2018	Possession Of Knives And Other Articles	Strike Out – Not Served
Cork City Ct. No. 1 Washington Street	09/04/2018	Threatening/Abusive/Insulting Behaviour In A Public Place	Strike Out – Not Served
Cork City Ct. No. 1 Washington Street	09/04/2018	Assault	Strike Out – Not Served
Cork City Court No. 1	23/09/2013	Threatening/Abusive/Insulting Behaviour In A Public Place	Fine: €500(Appeal Succesfsul
Cork City Court No. 1	04/01/2007	Parking On A Footway – (Registered Owner)	Struck Out With Leave To Re-enter
Cork City Court No. 1	04/01/2007	Parking On Double Yellow Lines (Traffic Sign number RRM 008) – (Registered Owner)	Struck Out With Leave To Re-enter

COMPENSATION
AND NO ACCOUNTIBILITY FOR THE BOYS

......and no compensation for me.


LSRA
An tÚdarás Rialála Seirbhísí Dlí
Legal Services Regulatory Authority
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For Consumers
For Law Professionals
For Innovation
Publications
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What We Do

Our mission is to regulate the provision of legal services by barristers and solicitors and to ensure that standards are maintained and improved.

Our Operating Principles

As the independent regulator responsible for the oversight of both branches of the legal profession, we operate to meet six key statutory objectives:

- protect and promote the public interest
- support the proper and effective administration of justice
- protect and promote the interests of consumers relating to the provision of legal services
- promote competition in the provision of legal services in the State
- encourage an independent, strong and effective legal profession and
- promote and maintain adherence to the professional principles of legal practitioners as specified in the Legal Services Regulation Act 2015.

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- promote competition in the provision of legal services in the State
- encourage an independent, strong and effective legal profession and
- promote and maintain adherence to the professional principles of legal practitioners as specified in the **Legal Services Regulation Act 2015**.

27th of May 2021

To who it may concern

On the 5/03/2019, I Emmett Corbett, Painter had burned my right arm, on a hot pipe that was insulated, which failed protect from the heat.
At the location of the accident, there were no signs in place to indicate any warning of hot pipes at my work area, although the burn was sore, I carried on working with the belief it would heal.
Unfortunately, my wound got progressively worse, and I was admitted to the Mercy Hospital, where I was put on a Drip overnight, and treated for Cellulitis.
The Doctor who treated me, marked where the infection was traveling on my arm, and informed me that if it spread past the line on my arm, I was to come back to the hospital right away, as Cellulitis can progress to Septicaemia.
Unfortunately, even after an overnight course of IV Flucloxacillin, the infection kept spreading, and I had to return to the Mercy Hospital, for a second round of IV, this was very worrying at the time.

As a result of my medication, I developed a skin reaction, where I began to break out in a rash, on my left arm, which also got progressively worse, and also spread to the hot-spots on my body i.e. armpits, neck, groin etc, where I was proscribed additional steroid medication to supress this secondary rash.
I had taken photos of my infection and secondary skin reaction, to monitor its spread on my body over the following weeks, which ultimately were furnished to my Doctor, who instructed it was necessary that they were to be part of my medical report.

Some months later, I decided to meet with William Harvey, to discuss my options, as I had medical expenses which I had paid for, and was out of work for approximately 2 weeks. While speaking with William Harvey, he did estimate my damages to be between, €35,000.00 -€40,000 .00, where I subsequently instructed him to proceed with representation.

William Harvey was provided with a medical report, and with the photographs of the spread and extent of my injury/infection, which were to be part of my medical report, as instructed by Doctor Dan Crowley. These photos were actually provided to William Harvey twice, as he had lost the initial set of photos.

Due to the lockdown, my case was put on hold, and in April 2021, I received a phone call from William Harvey that he had received and offer for damages from PIAB, for €7,156.68. Surprised at this low amount, as compared to his initial estimate, I instructed him to reject the offer.

I did highlight some inconsistences within Sean T O Sullivan medical report with William Harvey, which said I developed my infection, 1-2 weeks after my burn, when it in fact the infection appeared the next day, and also stated that I was in hospital for one day, when I was there on two occasions.

William Harvey informed me that the reason for the low amount offered for damages was because of Sean T O Sullivan's report, and said that Dr O Sullivan should have taken my photographs of my injury into consideration, which presently does not make any sense, as William Harvey never sent in my photographs to the PIAB in the first place.
William Harvey didn't see any reason to go back to Sean T O Sullivan, to correct these mistakes, but instead he assured me that this report was not important, and that he would be going from Dr Dan Crowley's report.

Putting my trust in William Harvey, I did sign a PIAB document dated 20-02-2021, that the information was accurate to the best of my knowledge, however at the time, I was not aware that my medical report from Dr Dan Crowley had omitted documentation.

I met with William Harvey in his office, where I had requested a copy of the file, he had sent PIAB, and was shocked to find out via email dated 26th of April 2021, that he never sent in any of the good quality glossy photographs, he was provided with on two occasions, that were part of my report, as outlined by Dr Dan Crowley.
But instead, what he had sent PIAB was 2 copies of the same image on dull A4 paper.

I soon spoke to William Harvey after this revelation, and he informed me that he decided to omit all the other photos, as they showed my wound "abating" , to this statement I was utterly shocked, as the opposite was true, as the photos he was provided with actually showed my infection getting worse, also they showed the secondary reaction due to the medication I was on.
The fact that William Harvey is not a trained medical professional, he had no authority to omit any documentation that were included by Doctor Crowley.
Had I of known that this was the case, I would have never agreed to instruct William Harvey, to make further proceedings. And as a result, I have since incurred a Barristers fee, which I would have never incurred had he followed my instructions, and provided PIAB with all the relevant documentation, as highlighted by me and outlined by Doctor Dan Crowley.

I had instructed William Harvey to go back to PIAB with the complete medical report, to which he informed me that it was too late, as we were done with PIAB, and are now going into Authorisation for court proceedings.
But I do not believe this to be the case, as I had received a letter from William Harvey on the 12th of May acknowledging my request to disengage with his services, but he had correspondence from PIAB on the 25th of May to pursue court proceedings.
This demonstrates that William Harvey had from 27th of April 2021 until 25th of May 2021 to follow my instructions to furnish PIAB with the all the existing documentation he had omitted, but failed/refused to do so.

I no longer have any confidence in William Harvey, as I do not believe he had represented me to the fullest, and had I left him proceed with representing me, the outcome would be more fees incurred by William Harvey and his Barrister.
Also due to his initial estimate for damages valued by William Harvey for €35,000.00 - €40,000 .00, and the subsequent offer from the PIAB for €7,156.68, I do query if I have been the focus of the Bait and Switch method?

Considering the amount for damages offered by PIAB for €7,156.68 and my bill from William Harvey for €4,948.50, it would appear to me that the lions-share of any protentional payment would go on legal costs, due to the fact that my medical report was not fully furnished to PIAB, and also due to generating unnecessary employment for a Barrister, that was brought on board my case.

Also, I am at a loss as to why I was billed €1476.00 for an Engineers report that was never used?
Concerning my Special Damages from the PIAB, my initial fee for seeing Doctor Crowley €50 and then €30 for follow up visits for the same matter, however in, my Assessment Details, my expenses for GP visits was for €80, but according to Dr Crowley's medical report I had 3 visits, which would amount to €110.
It would appear that William Harvey has also lost the receipt for my third GP visit.

I now have approximately 5 months to proceed with my case before times runs out, which would not be the case had I of known William Harvey was not following my instructions, by omitting documents from my medical report, and am precluded from taken my case to another Solicitor, until I discharge my bill to William Harvey, for substandard services rendered. With this being the case, I will end up owing €4,948.50, instead of being compensated for an accident that was no fault of my own.

Issues that need to be addressed:

1. Why did William Harvey omit documentation from my medical report, when he is not a Medical Professional?
2. Why was I was billed €1476.00 for an Engineers report which was never used?
3. Why did William Harvey say we could not go back to PIAB, as instructed by me, when it appears, he had space to do so?
4. Why does my report from Sean T O Sullivan say I developed my infection, 1-2 weeks after my burn, when it the infection appeared the next day?
5. Why does my report from Sean T O Sullivan say I was in hospital for one day, when I was there on two occasions?
6. Why was my receipt for third visit to my GP not included in my loss and expenses?
7. Why did William Harvey ignore Dr Dan Crowley's medical report, which states twice that photographs (plural) were to be included?
8. Was Dr Dan Crowley's medical report actually furnished to the PIAB?

Documentation included by me:

1. My medical report from Dr Dan Crowley
2. My medical report from Sean T O Sullivan
3. Correspondence from William Harvey
4. Correspondence from the PIAB
5. Photographs 5 A4 pages containing 18 images.
6. Vincent Kelly's Engineers report.
7. PIAB Medical assessment form B- information for medical practitioners.
8. The two copies of the same image sent to PIAB, by William Harvey.

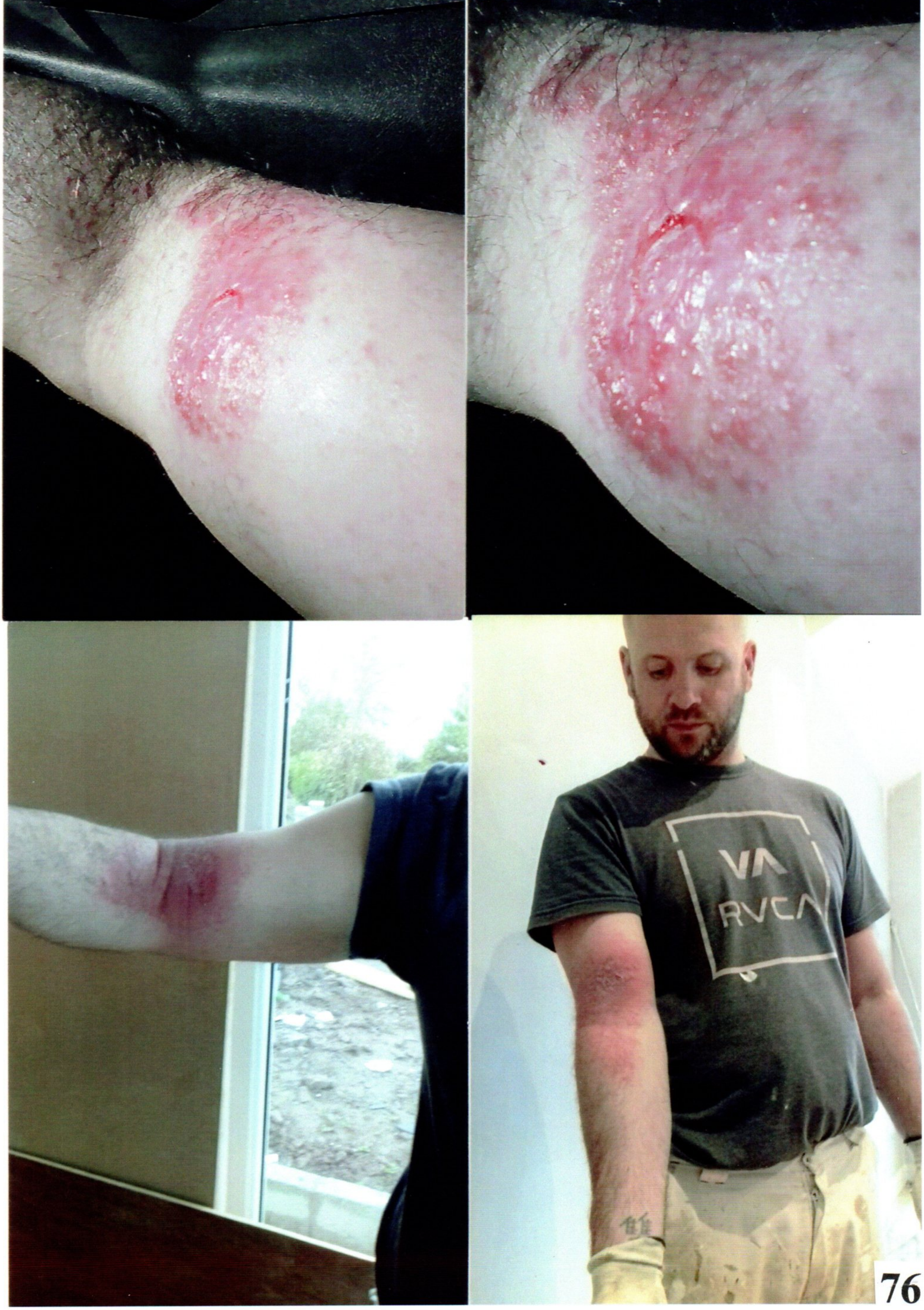
This ordeal has been very stressful for me, as I feel like my case is being held for ransom, for if proceed with William Harveys representation, I will lose out on any appropriate recompense for damages, but if I refuse, I will in fact owe €4,948.50, a sum of money which I cannot justify or afford.

Due to the facts outlined, I feel the only reasonable recourse would be for cost to be waived by William Harvey, and an addendum of my full medical report to be resubmitted to the PIAB.

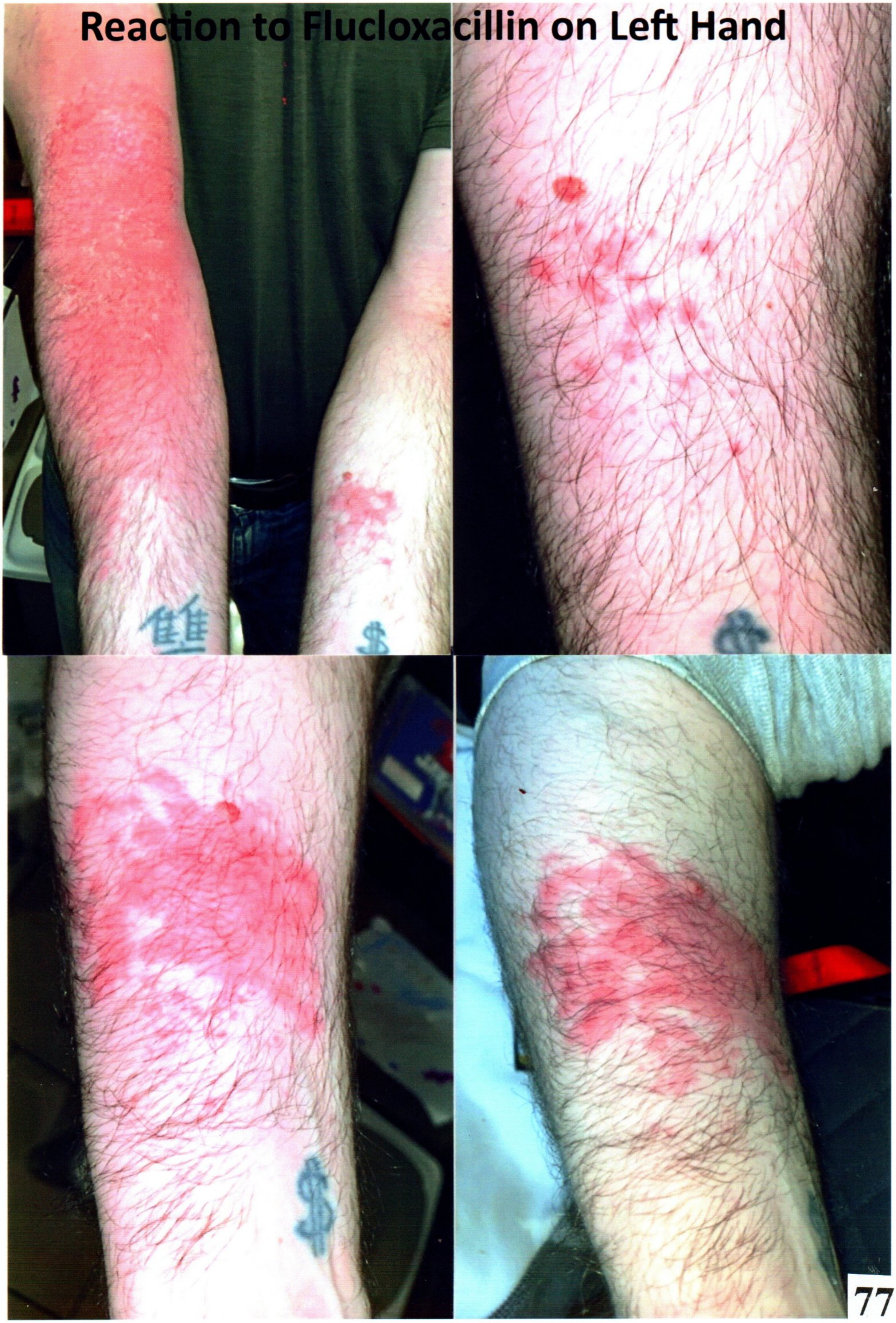
I sincerely hope, that this unfortunate matter can be resolved justly before time runs out.

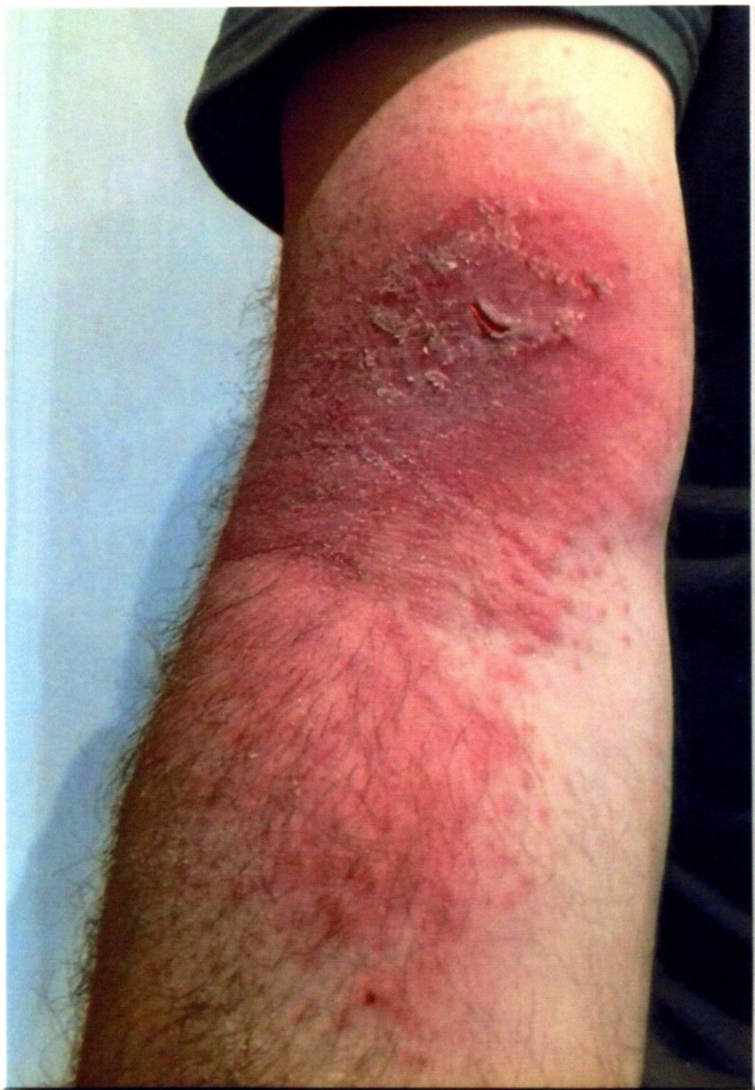
Emmett Corbett

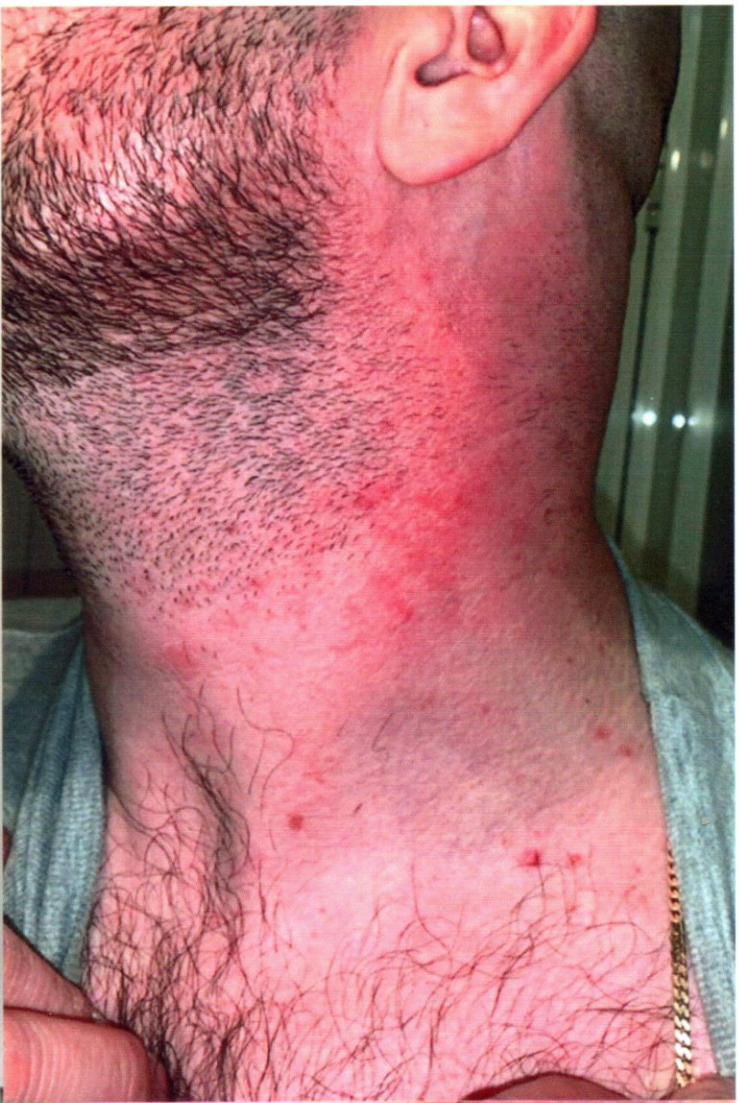
Infection of Cellulitis Infection on Burn

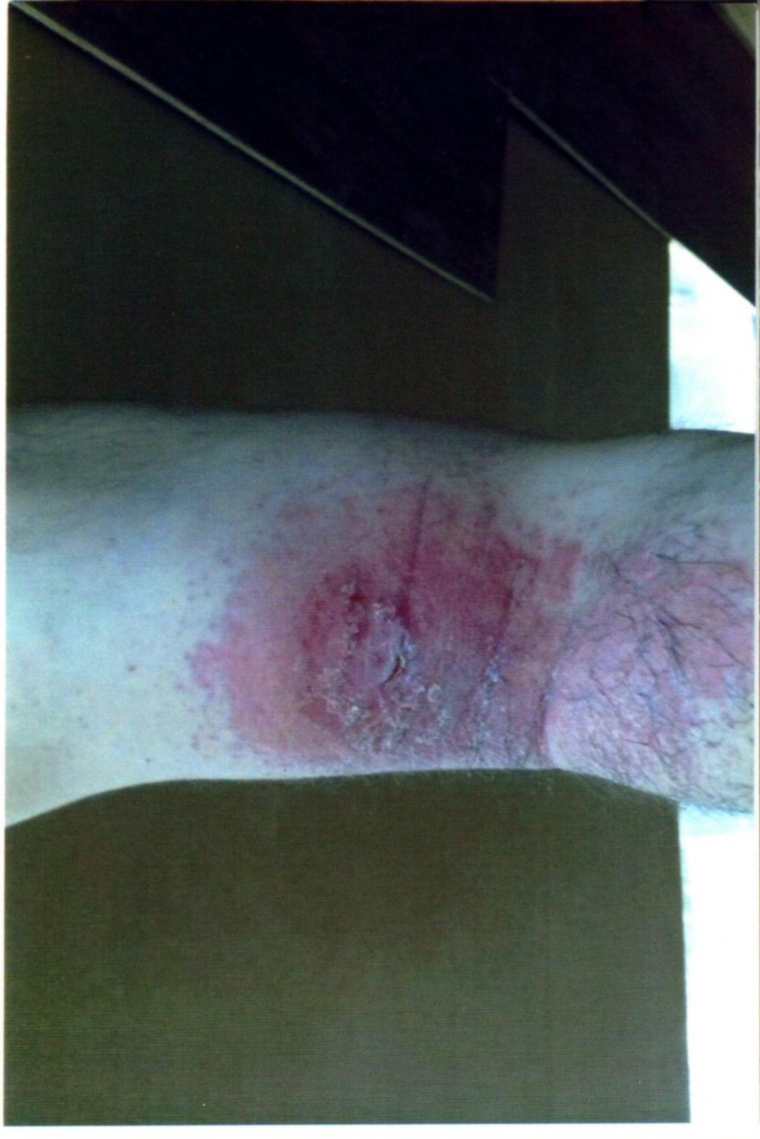


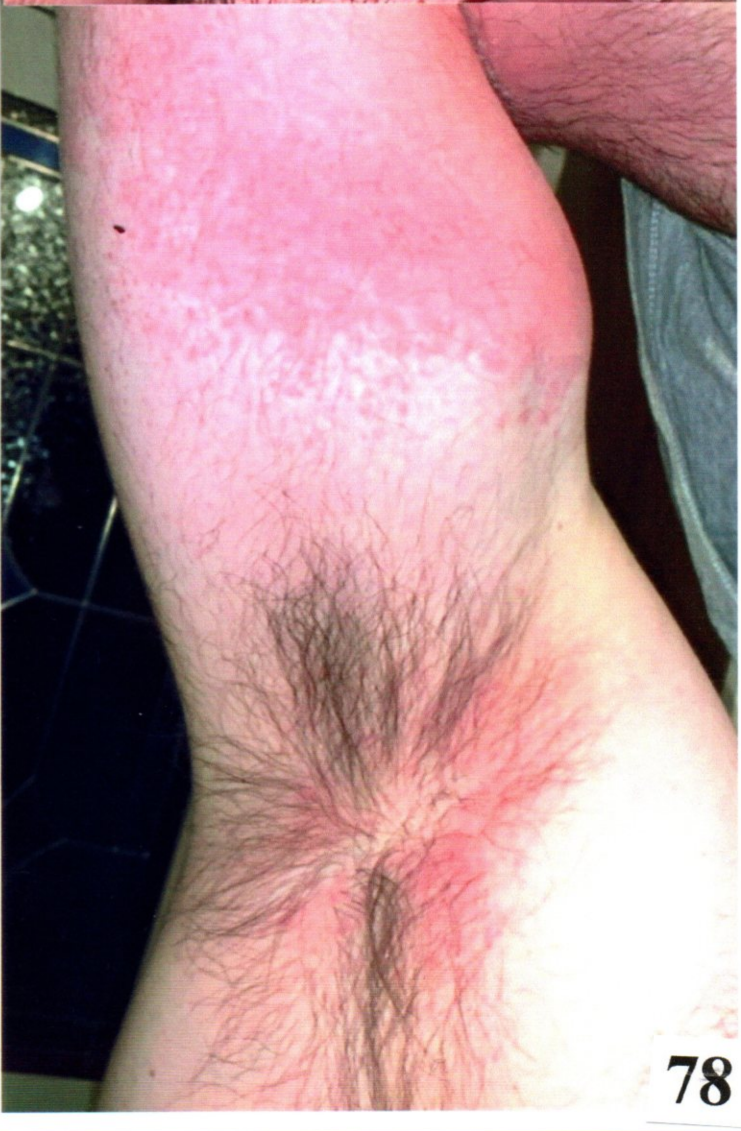
Reaction to Flucloxacillin on Left Hand



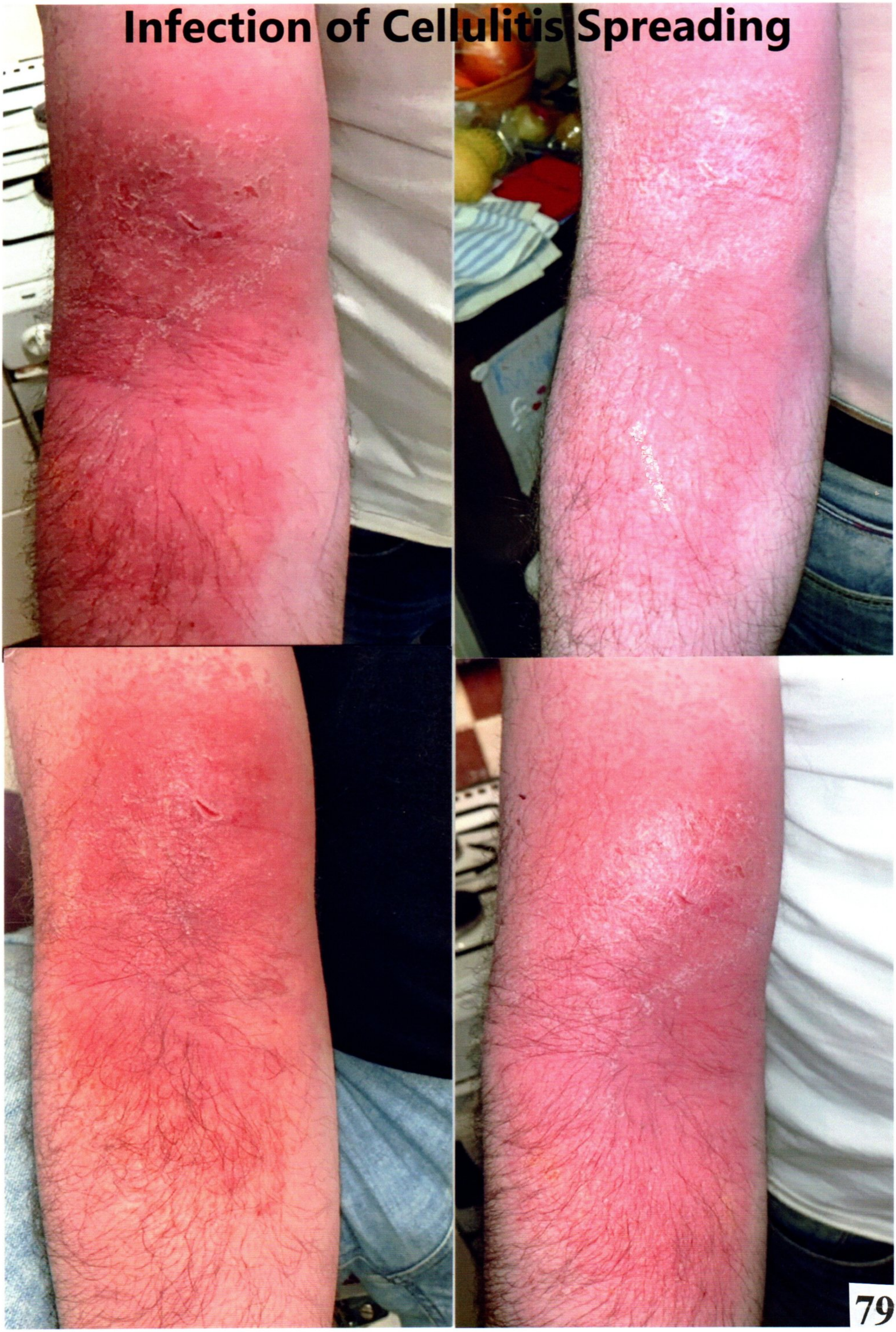


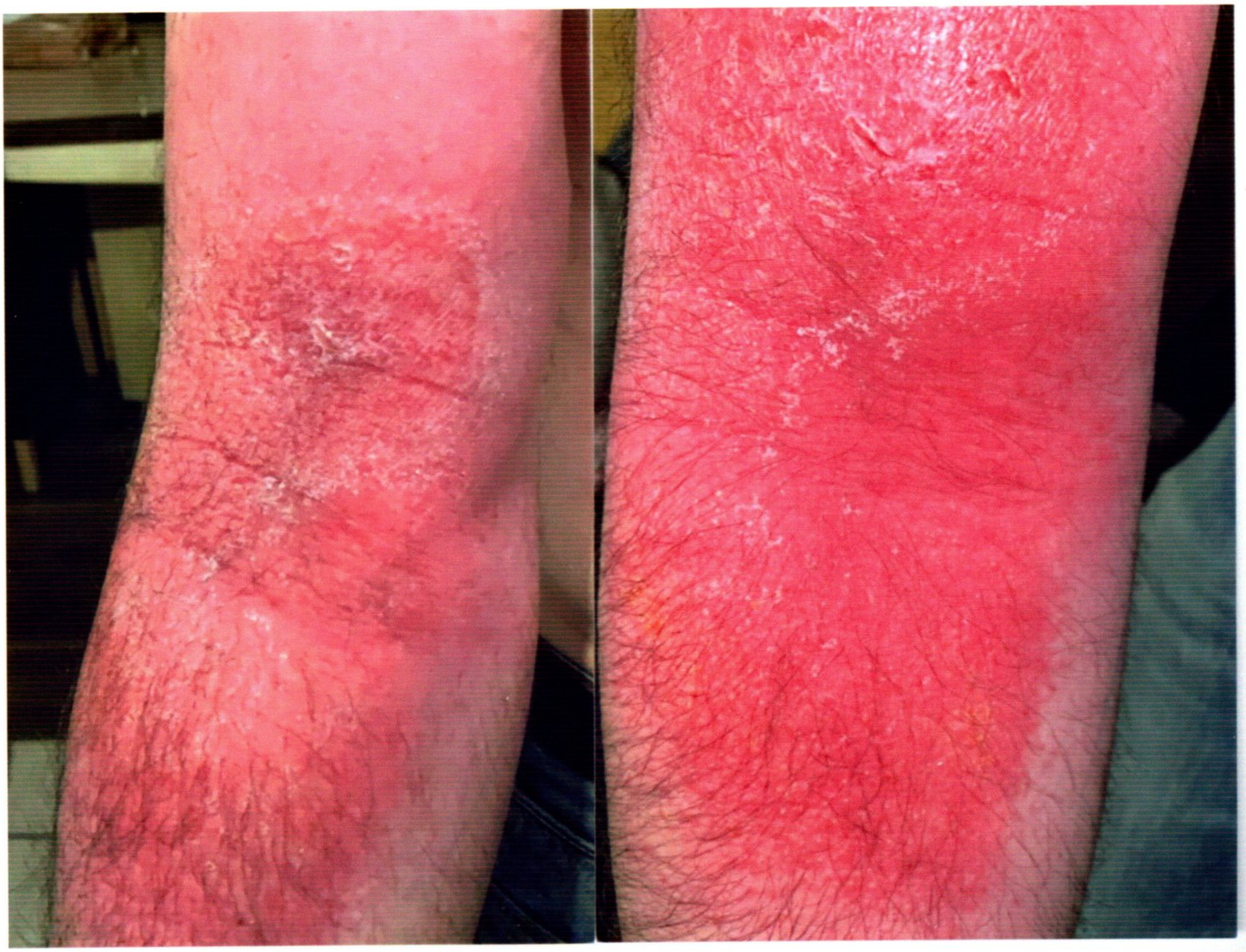


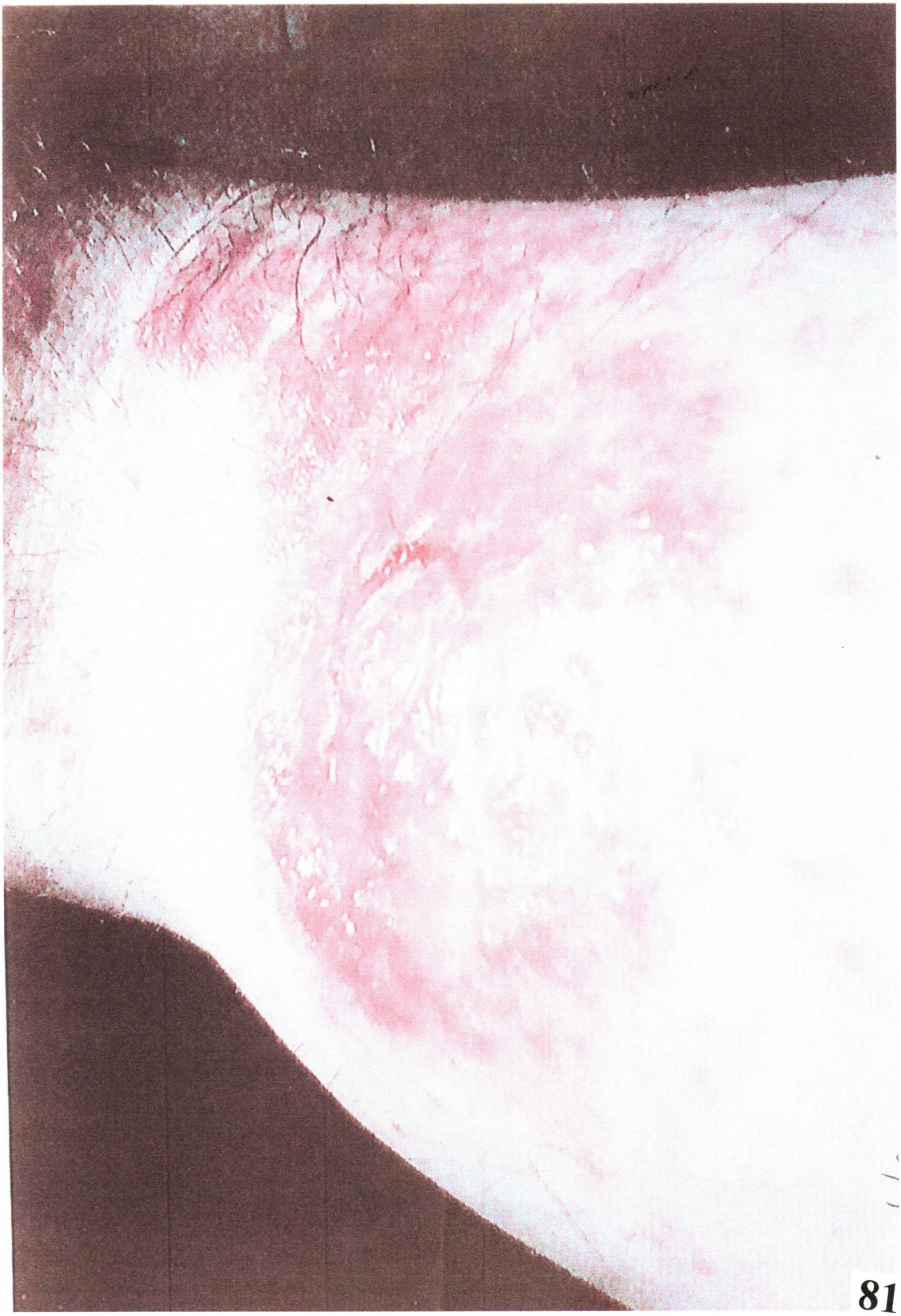


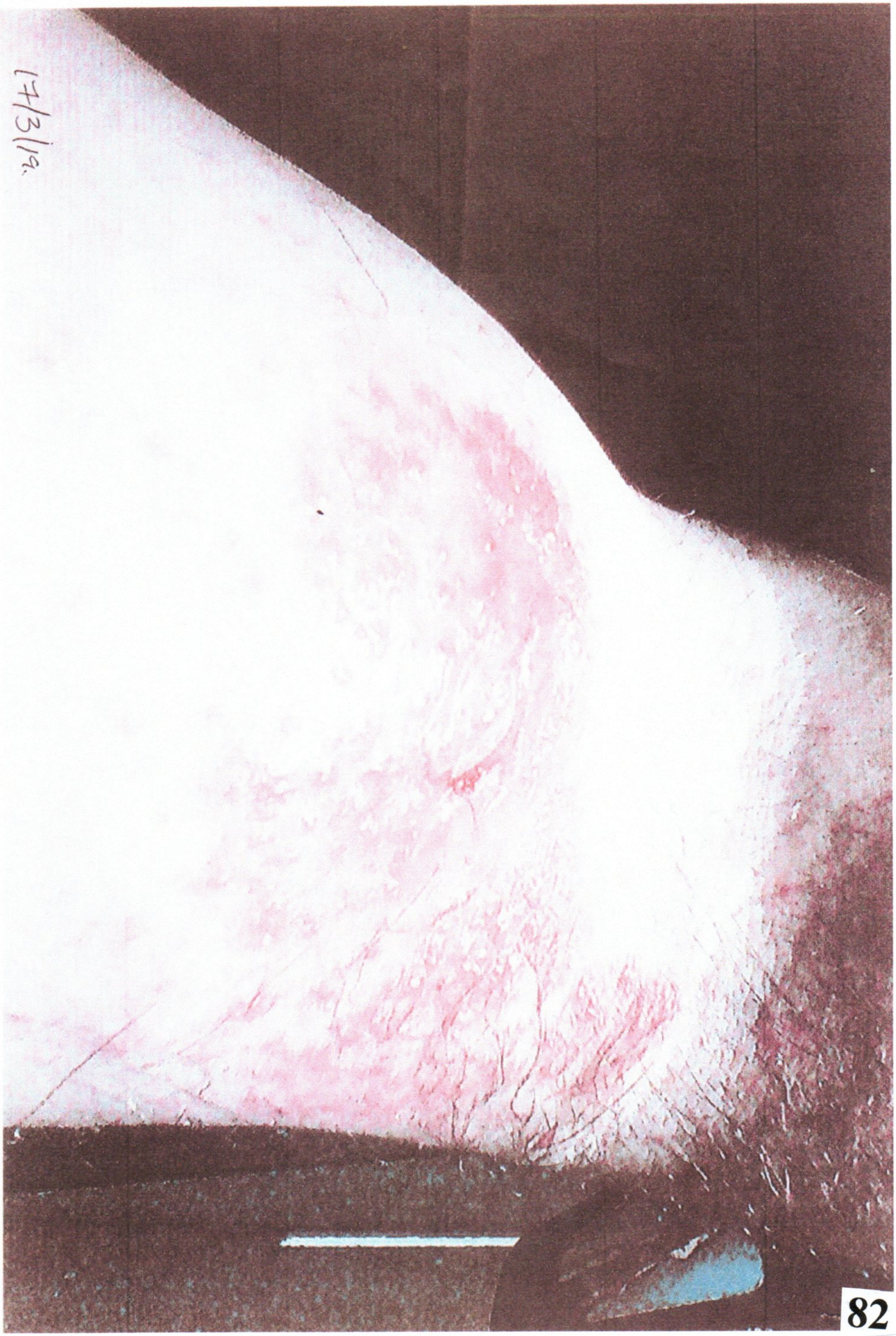


Infection of Cellulitis Spreading









17/3/19.

MEDICAL ASSESSMENT FORM (FORM B)

Application number (if available)

Claimant name	Emmett Corbett	
Address	[redacted]	
	[redacted] Cork	
Gender		
Marital status	Single, engaged	
Date of birth	[redacted]	
Occupation	Self employed painter/decorator	
Currently at work	Yes	
Height	6ft	
Weight	95kg	
R/L hand dominant	Right Hand Dominant	

Date of accident	March 2019
Date of examination	26/03/2019, 02/04/2019, 13/08/2019

Brief details of the accident/incident

Was at work in Little Island, Cork on or about Tues 5th March 2019, when he received a burn from a hot pipe to his right forearm/right antecubital fossa.

Injuries sustained including diagnostic information

1. Infected burn right antecubital fossa/cellulitis
2. Allergic skin reaction to Flucloxacillin
3. Generalised acute eczema/dermatitis type reaction to Flucloxacillin

Date treatment first sought	23rd March 2019
From whom was treatment received?	Emergency Dept Mercy University Hospital Cork
Was patient hospitalised	Yes, overnight x 6hrs on I.V. Antibiotics
Where was patient hospitalised	Mercy University Hospital
Period of hospitalisation	On 23rd and 24th March 2019
Length of absence from work	2 weeks
If absence is on-going is it due to the accident?	
Was/is the claimant's absence period reasonable	Yes
Number of GP visits	03
Number of specialists visits, if any	0
Identity of specialists, if any	

Treatment/investigations to date	1. Bought cream from pharmacy
himself post burn. 2. Drip and IV Flucloxacillin x 6hrs on 23/03/19.	
3. Returned to Mercy Emergency Dept on 24/03/19 as rash had worsened.	
Diagnosed with allergic reaction and given steroid and Piriton.	
4. Seen by GP on 26/03/19 when change of antibiotic discussed.	
5. Seen by GP on 02/04/19 and given Fucibet cream, Daktacort cream,	
Silcocks base and Elave wash	
Number of physiotherapy sessions, if any	/

WHO International classification of diseases (ICD)

L03			**L20**										

Relevant medical history (including previous and subsequent accidents and clarification on any interaction of injuries)

NIL

Aggravation of pre-existing condition?	Yes ☐ No ☒
If yes please give nature of pre-existing condition	
Give details of previous accident history, if any	None No previous litigation
Was pre-existing condition symptomatic before accident?	

Present complaints

1. 02/04/19 Generalised acute eczema/dermatitis skin reaction, worse in flexural areas.
2. 13/08/19 Faint brownish circular mark (approx 4-5cm) at burn site on right antecubital fossa

Clinical findings on examination (please include photographs if appropriate or requested)

Claimant has photographs showing rash which should be sent with report

Took 6 weeks for skin to return to pre reaction state.

Clinical description of effects on claimant's illness/disablement – practitioners should indicate the degree, if any, to which the claimant's condition is currently affecting her ability in the following

(All normal now)

	Normal	Mild	Moderate	Severe	Profound
Mental health	☒	☐	☐	☐	☐
Learning/intelligence	☒	☐	☐	☐	☐
Consciousness/seizures	☒	☐	☐	☐	☐
Balance/co-ordination	☒	☐	☐	☐	☐
Vision	☒	☐	☐	☐	☐
Hearing	☒	☐	☐	☐	☐
Speech	☒	☐	☐	☐	☐
Continence	☒	☐	☐	☐	☐
Reaching	☒	☐	☐	☐	☐
Manual dexterity	☒	☐	☐	☐	☐
Lifting/carrying	☒	☐	☐	☐	☐
Bending/squatting	☒	☐	☐	☐	☐
Sitting	☒	☐	☐	☐	☐
Standing	☒	☐	☐	☐	☐
Climbing stairs	☒	☐	☐	☐	☐
Walking	☒	☐	☐	☐	☐

Anticipated treatment required into the future to include approximate costs

Avoid Flucloxacillin

Opinion/comment/latest prognosis

Are the injuries consistent with the accident? **YES** If not please specify
Are further investigations required? **NO** If so please specify
Is a full recovery expected? **Yes, skin disclorouration at site of burn may be permanent** If not please detail likely effects on lifestyle/work
Please state the expected time period to full recovery (from the date of accident) **8 weeks from accident to full recovery**
Are late complications expected? **NO** If so please specify
Are further specialist reports recommended? **NO** If so please specify

General comments and observations

Include claimant photographs of rash with report

Completed by: Dan Crowley

Practitioner signature and name: **Dr. Dan Crowley**

Address: **1 Mervue Lawn, Ballyvlane, Cork**

Qualifications: **M.B.,D.C.H.,D.F.P.,D.R.C.O.G.,M.R.C.G.P.,M.I.C.G.P.**

Date of Report: **04/01/20**

piab
Bord Measúnaithe
Díobhálacha Pearsanta
*Personal Injuries
Assessment Board*

Assessment Details

General Damages (pain and suffering)		**€6,000.00**
Special Damages as detailed below (loss and expenses incurred)		**€716.68**
Hospital Expenses	€100.00	
GP/Specialist fee	€80.00	
Prescription/Medication	€103.43	
Loss of earnings	€433.25	
Total amount of Assessment		**€6,716.68**
Fees and other expenses necessarily incurred		**€440.00**
Application fee	€90.00	
Medical report fees	€350.00	
Other fees & expenses	€0.00	
Overall total		**€7,156.68**

Please have Emmett Corbett complete, sign and date the form set out at the end of this letter to indicate whether he wishes to accept or reject the assessment and return to us **within 28 days**.

Yours faithfully

Director of Operations

~~Acceptance~~/Rejection of Assessment

I confirm that I wish to ~~accept~~/reject *(delete as appropriate)* the assessment of my claim and fees and expenses necessarily incurred in the sum of **€7,156.68**, details of which are set out above and if accepted by all parties are payable as follows;

- €0.00 in reimbursement to the Minister for Social Protection and
- ***€7,156.68, being the balance of the assessment to the Claimant.***

Signature of Claimant

Date: 26/4/21.

Reference: EL0228202040993

Claimant: Emmett Corbett

* Signature of William Harvey solicitor with
Consent of authority of Claimant.

MARTIN A. HARVEY & CO
SOLICITORS
9 GEORGES QUAY
CORK

Emmett Corbett

Cork

12/05/2021

Bill of Costs

Account Ref: COR106/0001
Invoice No: 0

Our Ref : WH
Your Ref :

Accident 05/03/2019	**Not Liable to VAT €**	**Liable to VAT €**
We confirm that our costs herein are as follows:-		2,500.00
Solicitors fees pursuant to The Solicitors Remuneration Act, 1888 and to various Orders made thereunder to include attending on Client and advising him / her in relation to PIAB. To include preparing and submitting Form A to PIAB with the appropriate Authorities instructing us to act. To include attending on Client to review PIAB Form A and having it signed. To include ultimately lodging the PIAB Form with PIAB with associated Documents, Medical Reports and Registration Fee, to include all correspondence with PIAB and Client, to include having Special Damages Schedules completed and lodged with PIAB to include all other PIAB Advices, it is considered a fair and reasonable fee to be		
PIAB application fee	90.00	
Report of Mr. Vincent Kelly, BE	1,476.00	
Brian Hallissey, BL (see fee note herewith)	307.50	
TOTALS	1,873.50	2,500.00
2,500.00 @ 23 % VAT		575.00
Add total not subject to VAT		1,873.50
	INVOICE TOTAL:	**4,948.50**

E&OE

PIAB MEDICAL ASSESSMENT FORM (FORM B) – INFORMATION FOR MEDICAL PRACTITIONERS

PIAB is Ireland's independent state body which assesses personal injury compensation. PIAB's objective is to ensure that those making personal injury claims for injuries sustained in accidents have their compensation assessed quickly and fairly and without unnecessary litigation costs. In order for PIAB to assess a claim, a claimant as part of their application must submit a medical report from their treating medical practitioner. Copies of medical reports will be passed to the respondent/s (the person/s against whom the claim is being made) and their insurers where known, in order that they may know the nature and extent of the claim. As a result the medical report should only contain medical history relevant to the claim being made.

Medical reports should

- ✓ be submitted in a standard format as per the attached template and typed,
- ✓ be as clear and concise as possible,
- ✓ include relevant details of the claimant's medical and accident history and advise whether the accident has exacerbated any pre-existing symptoms/injury,
- ✓ contain an opinion/prognosis on the likely recovery time for the claimant's injuries to resolve (if a full recovery is unlikely, the report should outline the residual symptoms likely to be suffered by the claimant and what effect these will have on their lifestyle/work),
- ✓ include good quality photographs where appropriate or requested,
- ✓ only contain medical history/information relating to the claimant (and not medical history/information about any third party).

If the claim proceeds to assessment, the claimant may be awarded the reasonable and necessary cost of this medical report. Where a final prognosis is not currently available PIAB may also arrange a further up to date medical examination of the claimant.

Neck Disability Index (NDI) and Visual Analogue Scale (VAS) questionnaires (included at the end of the template attached) are to be completed by claimants.

Calculation of NDI scoring is completed by medical practitioners - there are 10 individual sections each with a maximum score of 5. Each section has 6 statements. A single most appropriate statement of the 6 options is chosen for each section. The options are scored in ascending order from 0 – 5 i.e. if the first statement in a section is marked the score for that section = 0, if the last statement is marked the score for that section = 5. Example: 16 = total scored for all sections (of a possible 50 total score for the ten sections) – 16/50 x 100 = (NDI) 32%. If a statement for one or more section is missed or not applicable the score is calculated on the basis of the sections that have been answered e.g. 16 = total scored (of a

Power to require additional information, etc. Medical examination of claimant in certain circumstances.

20 claim would otherwise have fallen to be made under section 20, a settlement is entered into in respect of the relevant claim concerned. (8)

In subsection (2) "respondent" includes a non-accepting respondent (within the meaning of section 34).

23.—(1) The assessors may request the claimant to furnish to them such information or documents in the possession or control of the claimant, additional to the information contained in, or the documents which accompanied, his or her application under section 11, as they consider necessary for the making of the assessment.

(2) The assessors may request the respondent or respondents to furnish to them such information or documents in the possession or control of the respondent or respondents as the assessors consider necessary for the making of the assessment.

(3) If retained experts are assisting the assessors in the making of the assessment the assessors may make the following request if they consider that it is necessary to do so for the purpose of enabling those experts to assist them in the making of the assessment.

(4) That request is a request of the claimant or the respondent or respondents to—

(a) provide such assistance to the retained experts,

(b) furnish such information or documents to those experts, additional to that or those referred to in subsection (1) or (2), or

(c) otherwise co-operate with those experts in such manner, as is or are specified in the request

piab
Bord Measúnaithe
Díobhálacha Pearsanta
Personal Injuries
Assessment Board

Authorisation under Section 14 of the Personal Injuries Assessment Board Acts 2003 – 2019

Name of Claimant: Emmett Corbett

Name(s) of respondent(s): [redacted]

Date of relevant claim: 05/03/2019

Emmett Corbett is hereby authorised, pursuant to section 14 of the Personal Injuries Assessment Board Acts 2003 – 2019, to bring proceedings in respect of the relevant claim against the Respondent(s) named above.

Issued by the Board, on this day, 25 May 2021.

Signed by Helen Moran
(Director of Business Support Services)

Authorisation issued by the Personal Injuries Assessment Board

Claim Number: EL0228202040993

Martin A.
Harvey & Co.

Solicitors
est.1936

Martin A. Harvey & Co. Solicitors
Parliament House,
9 Georges Quay,
Cork City, Ireland.
DX 2087.

maharvey@martinharvey.ie
martinharvey.ie

Our Ref: WH/JM/COR106/0001

12 May 2021

Private & Confidential
Emmett Corbett

Cork

Re: Accident 05/03/2019

Dear Emmett,

We refer to the above matter and our telephone conversation on the 12th of May, 2021.

We note that you wish to disengage our office and discharge our Bill of Costs which we attach. Would you please furnish our offices with cheque / EFT in the sum of €4,948.50. Please note we have attached our Client Account details for your necessary attention and would ask that you please ensure that any EFT is marked with the appropriate reference number : WH/JM/COR106/0001.

As soon as you make payment of the Bill of Costs, we will immediately forward you the full file to allow you to instruct your new solicitor.

We note that you sought Mr. Vincent Kelly's report which we confirm we sent to you by way of our correspondence dated the 3rd of June, 2020. We again attach Mr. Kelly's report for your necessary attention.

We look forward to hearing from you.

Yours faithfully,

William Harvey
Martin A. Harvey & Co.

Martin A.
Harvey & Co.

Solicitors
est.1936

9 Georges Quay,
Cork City, Ireland.
DX 2087.

maharvey@martinharvey.ie
martinharvey.ie

Our Ref: WH/JM/COR106/0001

26 May 2021

Private & Confidential
Emmett Corbett

Cork

Re: Accident 05/03/2019

Dear Emmett,

We refer to the above matter and previous correspondence herein.

We are now in receipt of Authorisation received from the Personal Injuries Assessment Board which you will require in order to progress your matter as the details of same are required to issue court proceedings.

We have previously furnished you with our Bill of Costs in respect of this matter and we would be obliged if you would please furnish our offices with cheque / EFT in the sum of €4,948.50 and we will then proceed to close off our file.

We look forward to hearing from you by return.

Yours faithfully,

William Harvey
Martin A. Harvey & Co.

Martin A.
Harvey & Co.
Solicitors

Martin A. Harvey & Co. Solicitors
Parliament House,
9 Georges Quay,
Cork City, Ireland.

maharvey@martinharvey.ie
martinharvey.ie

Our Ref: WH/JM/COR106/0001 Your Ref: 21/5302 19 August 2021

William Slattery
Legal Services Regulatory Authority
PO Box 12902
Dublin 7

By email; complaints@lsra.ie

Re: Complainant's Name: Emmett Corbett
Practitioner Name: William Harvey

Dear Mr. Slattery,

We refer to the above matter and our email of the 16th of August, 2021 which I trust you have received.

I have had an opportunity to review the letter dated the 10th of June, 2021 enclosing various documentation to include the following:

1. Report of Mr. Vincent Kelly, Consulting Engineer dated the 28th of May, 2020.
2. Form A application of Mr. Emmett Corbett in respect of accident on the 5th of March, 2019.
3. Authorisation pursuant to Section 14 of the 2003 – 2019 PIAB Act – Respondent: Limited.
4. Authorisation pursuant to Section 32 of the 2003 – 2019 PIAB Act – Respondent: Trading As
5. Report of Mr. Sean T. O'Sullivan dated the 6th of April, 2021.
6. Letter from Martin A. Harvey & Co. Solicitors to Mr. Corbett of the 12th of May, 2021.
7. Letter from Martin A. Harvey & Co. Solicitors to Mr. Corbett of the 17th of May, 2021.
8. PIAB Assessment in the sum of €7,156.68.
9. Bill of Costs of Martin A. Harvey & Co. Solicitors dated the 12th of May, 2021.
10. Various photographs of Mr. Corbett's arm.
11. Medical report of Dr. Dan Crowley dated the 4th of January, 2020.
12. Letter dated the 27th of May, 2021 written by Mr. Corbett (3 pages).
13. LRSA Complaint Form.

I have reviewed in great detail the three-page document provided by Mr. Corbett dated the 27th of May, 2021 headed with "To who it may concern." There are a number of issues throughout the document with which I would draw issue and fully disagree. However, I note in the final paragraph Mr. Corbett has set out eight issues which he would like to be addressed and you might please note my replies in turn below:

Martin A.
Harvey & Co.
Solicitors

Martin A. Harvey & Co. Solicitors
Parliament House,
9 Georges Quay,
Cork City, Ireland.

maharvey@martinharvey.ie
martinharvey.ie

1. There was no documentation omitted with respect to Mr. Corbett's medical report. If this in fact relates to the inclusion of certain photographs, careful consideration was given by the writer as to the appropriate photographs to send the Personal Injuries Assessment Board. Two photographs were chosen showing the burn. The full particulars of the nature of the injury suffered by Mr. Corbett are fully set out in a very detailed and comprehensive medical report prepared by Dr. Dan Crowley. For the avoidance of any doubt, the photographs were not furnished to this office by Dr Crowley and did not form part of his report as has been insinuated but rather given by Mr Corbett to myself.

2. It is practice of the writer and the office, for many years, to engage a consulting engineer where we are instructed in relation to a workplace or industrial accident. An engineer is engaged to consider various aspects of the case to consider liability of any potential defendants but also any contributory negligence which may arise. These advices are critical and are used when engaging in settlement negotiations, advising on PIAB Assessments, and also issuing proceedings in the appropriate jurisdiction. When Mr. Corbett initially instructed the writer, I clearly explained to Mr. Corbett, as I do with each and every client, that it would be my advice to engage a consulting engineer to comment on the above issues. On Mr. Corbett's instruction, I engaged Mr. Vincent Kelly, Consulting Engineer, who met with Mr. Corbett and prepared a comprehensive report. This report was sent to Mr. Corbett and at no stage was the necessity to engage or the content of the engineer's report questioned. It should be noted that when Mr. Corbett progresses his case, the costs associated with the engineer will be recovered in party-party costs as there has yet to be any formal admission of liability from either Respondent named in the PIAB Assessment.

3. The Personal Injuries Assessment Board are a statutory body with statutory functions. Their function is to assess damages in respect of claims for personal injuries. The Personal Injuries Assessment Board have no statutory authority to reconsider an Assessment in light of documentation furnished to them post-Assessment. Having dealt with the Personal Injuries Assessment Board for many years and thousands of Assessments, we have never known PIAB on a statutory or other basis to reconsider the quantum of an Assessment where further documentation is provided. To have done as Mr. Corbett instructed would not have changed the outcome in any way and this was explained to Mr. Corbett in detail at our consultation when we reviewed the PIAB Assessment.

4. As explained and discussed with Mr. Corbett, we did not engage Mr. Sean T. O'Sullivan, Consultant Plastic Surgeon, but rather Mr. O'Sullivan was engaged by the Personal Injuries Assessment Board. As with all independent doctors engaged on behalf of the Personal Injuries Assessment Board, a report is prepared based on their instruction from the patient and any previous documents which they hold. We cannot account for Mr. O'Sullivan's error as he would have had an opportunity to review Dr. Crowley's report as well as the consultation with Mr. Corbett which occurred on the 18th of March, 2021.

5. We refer you to Reply 4 and the same explanation prevails in this instance.

6. Mr. Corbett attended our offices on the 7th of September, 2020 where all vouchers were handed to the writer in respect of medical expenses. Two vouchers were furnished to our offices by Mr. Corbett in respect of Carraig Mervue Family Practice in the following sums:

    a. €50
    b. €30

    At no point did we receive any further invoice or receipt from Mr. Corbett in respect of further medical attendances. In circumstances were we are not aware of the existence of further vouchers or receipts, we cannot be expected to lodge same with the Personal Injuries Assessment Board.

7. Please see Reply 1. I refute entirely that the content of Dr. Crowley's report was ignored. I reviewed the photographs furnished by Mr. Corbett, not by Dr Crowley as has been intimated, when lodging the Form A application with PIAB. Consideration was given to each and every photograph and two photographs showing the nature of the injury were chosen and lodged with the Personal Injuries Assessment Board as these best reflected the injury.

8. The medical report of Dr. Crowley was furnished to the Personal Injuries Assessment Board by way of correspondence dated the 26th of February, 2020. The Personal Injuries Assessment Board cannot proceed to assess a Claimant's claim for damages in the absence of a medical report.

In respect of the bill of costs, at no point in time did Mr. Corbett ever query the Bill of Costs before receipt of the Complaint Form on the 16th of August. The fees incurred by our offices were agreed and the costs and engagement of Mr. Kelly's report were explained to Mr. Corbett. We engaged the services of Mr. Brian Hallissey, BL in order to draft proceedings on Mr. Corbett's instruction when he advised the writer to reject the Assessment. It was explained clearly to Mr. Corbett that we would need to engage a barrister to draft Circuit Court proceedings in order to progress the matter. Upon his instruction, Mr. Brian Hallissey, BL was instructed. The PIAB application fee of €90 was an administrative fee which must be incurred when lodging an application with the Personal Injuries Assessment Board.

It is also very important to note that there has been absolutely no prejudice suffered to Mr. Corbett at present. Mr. Corbett is free to engage another solicitor, as has been explained to him on numerous occasions, to issue proceedings and recover the entirety of the value of his claim. At present, proceedings have yet to issue and the Statute of Limitations continues to run. Should this position remain the same, Mr. Corbett's claim will obviously become barred by statute. While not a matter for the LRSA or our offices, Mr. Corbett should take up the necessary advices from an alternative solicitor to allow for proceedings to issue immediately.

We would be very much obliged if you would please carefully consider the above and if we can be of any further assistance or clarify any issues in respect of Mr. Corbett's LRSA Complaint Form or his letter of the 27th of May, 2021, please do not hesitate to contact the writer directly by return email: william.harvey@martinharvey.ie.

Emmett Corbett,

Cork.

28th of September 2021

Response to William Harvey

Ref:21/5302

In my response to William Harvey, I would like to address a few points.

1. William Harvey states that after "careful consideration" two photographs were furnished to PIAB, but this is incorrect, as it was actually two copies of the same image, therefore only one image was furnished, which would give the impression to PIAB that they were the only photographs involved, that were to be included with my medical report.

   Also William Harvey takes issue that the photos were given to him by myself, and not Dr Crowley, but if this was an issue, William Harvey had plenty of time throughout the lockdown to address this matter, which he did not, and it does appear to be a shabby attempt to invalidate the high quality gloss finish photos he was provided with on two occasions, yet in the same breath, William Harvey says he gave careful consideration to the dull A4 paper image, which did not show the spread of the infection on my body, thus such an omission, can only contribute to downplaying injury sustained.
   Suffice to say, that William Harveys idea of "careful consideration" leave a lot to be desired, as he did in fact deviate from Dr Crowley's instructions, which outlined twice in my medical report, photos were to be included.

2. The engineers report I was billed €1476.00 for, was never used?

3. I was informed by William Harvey that we were out of time with PIAB, and that he couldn't send in the rest of the good quality photos he was provided with to PIAB, when in fact we were not out of time, and I have provided documentation to verify this point. Also, PIAB have agreed to retain my phone calls, as this was a matter, I was querying at the time, that can be easily evidenced, if PIAB were to be contacted.

4. William Harveys representation was shoddy to say the least, as it is his job to address irregularities which would negatively impact his client, i.e. Sean T O Sullivan's report.

5. I would expect for the price of €4,948.50, that Williams Harveys would address irregularities which would negatively impact his client.

6. The number of Doctor consultations were included in my medical report, clearly this is yet another oversight by William Harvey, and I do wonder if this receipt was lost with the first set of photographs, I gave him.

7. One photograph was furnished twice to PIAB. Dr Crowley instructed twice, that photographs (plural) were to be included. William Harvey is not a Doctor, and the photographs speak for themselves. My medical report states I had three visits, not two, and William Harvey actions do not harmonize with the facts.

8. PIAB were only furnished a partial medical report, due to William Harveys partiality when selecting photographs that did not show the extent of my infection, and spread of rash on my body, which my medical report outlined twice, should be included.

Sincerely, Emmett Corbett.

Martin A.
Harvey & Co.
Solicitors
est.1936

Martin A. Harvey & Co. Solicitors
Parliament House,
9 Georges Quay,
Cork City, Ireland.

maharvey@martinharvey.ie
martinharvey.ie

Our Ref: WH/JM/COR106/0001 Your Ref: 21/5302 12 November 2021

William Slattery
Legal Services Regulatory Authority
PO Box 12902
Dublin 7

FAO WILLIAM SLATTERY

By email; complaints@lsra.ie

Re: Complainant's Name: Emmett Corbett
Practitioner Name: William Harvey
Reference: 21/5302

Dear Mr. Slattery,

Thank you for your email of the 20th of October and I acknowledge receipt of correspondence enclosed prepared by Mr. Corbett and dated the 28th of September, 2021.

I reply to the matters raised by Mr. Corbett marked 1 through to 8 in the same sequence set out in Mr. Corbett's letter of the 28th of September, 2021:

1. Please see paragraph 1 in my email to you of the 19th of August, 2021. The photographs were not identical but two different photographs showing Mr. Corbett's injury.
2. I refer you back to paragraph 2 in my email of the 19th of August, 2021. I can only again reiterate that it was clearly explained to Mr. Corbett the basis upon which Mr. Kelly, Consulting Engineer, was engaged. Mr. Corbett took no issue with respect to Mr. Kelly's engagement at the time nor was an issue raised when Mr. Kelly's report was sent to Mr. Corbett for consideration in the early stages of instruction.
3. I refer to paragraph 3 of my email of the 19th of August, 2021. We have made our own inquiries with the Personal Injuries Assessment Board for completeness' sake. We have been working with the Personal Injuries Assessment Board since their inception nearly 20 years ago. When an Injuries Board Assessment issues, there is no provision within the statutory framework under which PIAB was established to reconsider or amend an Assessment once it has issued. Clearly, if one is not happy with the Assessment it is their prerogative to reject the Assessment. Mr. Corbett rejected the Assessment here which entitles him to bring proceedings to recover the compensation he feels as fair and appropriate. For clarification purposes, Mr. Corbett only raised this issue to the writer following receipt of the PIAB Assessment.

4. I reiterate my comments at paragraph 4 of my email of the 19th of August. I was not instructed to, nor did I have any part in engaging Mr. Sean T. O'Sullivan. Any irregularities in his report can of course be challenged by Mr. Corbett at the trial of the action under cross-examination.

5. The fees with respect to our representation of Mr. Corbett were clearly set out to him at the outset. Terms & Conditions of Engagement were sent to Mr. Corbett. The incurring of any additional expense was clearly explained to Mr. Corbett before any expert was engaged..

6. I refer you to paragraph 6 in my email of the 19th of August. If Mr. Corbett is suggesting that an additional receipt was furnished to our offices, then he might please specify the date and time when this was sent.

7. I refer you to paragraph 1 above and paragraph 6 above.

8. Please see paragraph 1 above.

I would again reiterate my comments in my correspondence of the 19th of August, 2021. Mr. Corbett is free at present to engage another solicitor to issue proceedings on his behalf and recover compensation he feels is just and adequate. At present, the statute of limitations is continuing to run against Mr. Corbett and we trust this correspondence will be passed to him. Mr. Corbett should take immediate legal advice with a view to issuing and serving proceedings to stop the statute of limitations running against him. Clearly, Mr. Corbett needs to be informed that should the statute of limitations expire in respect of this matter, he will be barred by statute from proceeding with his claim.

If I can provide any further information or be of any further assistance, please do not hesitate to revert.

Yours faithfully,

William Harvey
Martin A. Harvey & Co
--- SENT BY EMAIL SO NO SIGNATURE ACCORDINGLY ---

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action or reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from your computer.

Emmett Corbett,

Cork.

3st of December 2021

Response to William Harvey

Ref:21/5302

My response to William Harvey.

1. William Harveys attempt to split hairs, stating that the two photos, he gave "careful consideration" in choosing, were technically not identical, is an insult to any readers intelligence.
   Especially when considering, that he was provided with 18 high quality gloss finish photos, on two occasions, but decided to only furnish the same image twice on dull A4 paper.
   One finds it hard to comprehend the idea of arguing this premise, whether it be before Joe Public, or the European Court of Justice, and expecting to be taken seriously.

2. The engineers report I was billed €1476.00 for, was never used.
   It is true that I took no issue with Mr Kelly's engagement, as my disposition at the time was predicated upon my trust in William Harveys competency, and the assumption that the report would be used.
   However, I was inexplicably billed for a service, that was ultimately unnecessary, which raises more questions.

a) Why wasn't the report used, this has yet to be explained?
b) Why did the report cost €1476.00, when the usual price for such a report is €500?
c) Why was Mr Harvey so gratuitous, when it came to the accumulation of my costs, by generating unnecessary employment, for his colleague Mr Kelly?

3. It was my belief that William Harvey had provided all documentation to PIAB, i.e. photographs, reports etc., therefore I rejected PIABs offer for damages, based on this typical assumption.
   When I learned of PIAB not being fully furnished with the documentation in question, I instructed William Harvey to send them what he had left out, but I was informed by William Harvey that we were out of time with

PIAB, and that he couldn't send in the rest of the good quality photos he was provided with, when in fact we were not out of time.
Seeing as Mr Harvey, was not representing me to the fullest, I had no confidence in him, and had received a letter from William Harvey on the 12th of May acknowledging my request to disengage with his services, but he had correspondence from PIAB on the 25th of May to pursue court proceedings.
This demonstrates that William Harvey had from 27th of April 2021 until 25th of May 2021 to follow my instructions to furnish PIAB with the all the existing documentation he had omitted, but failed/refused to do so.
As a result of this action or lack off, I could no longer proceed with William Harveys services.
Please see attached a letter by Mr Harvey on 12th of May 2021 and PIAB dated 25th of May 2021.

4. William Harveys representation was shoddy to say the least, as it is his job to address irregularities which would negatively impact his client, i.e. Sean T O Sullivan's report.
It is not my job to address any irregularities within Sean T O Sullivan report, but in fact that was the job of William Harvey, which he took on, and subsequently billed me for.
William Harvey acknowledged that Sean T O Sullivan report was inaccurate, and informed me that it was the reason for the low offer, but failed to act on it, and take to task any discrepancies.

5. I would expect for the price of €4,948.50, that Williams Harveys would address irregularities, which would negatively impact my case.
The issue here is not the fees, but rather what I was paying a fee for, that being a substandard service and ignoring my instructions, such as
    a) Failing to furnish all the photos when instructed to.
    b) Failing to furnishing the Mr Kelly's engineers report.
    c) Refusing to go back to PIAB with the rest of the documentation, when instructed to.
    d) Failing to act on the incorrect report by Sean T O Sullivan.
    e) Telling me we were out of time with PIAB, when we were not, please see letter from PIAB dated 25th of May 2021.

6. The number of Doctor consultations were included in my medical report, clearly this is yet another oversight by William Harvey, and I do wonder if this receipt was lost with the first set of photographs, I gave him.
All receipts were provided to Mr Harvey on the same day, and my medical report clearly reads that I had 3 visits, but this was also overlooked by Mr Harvey.

7. One photograph was furnished twice to PIAB
    a) Mr Harvey admits this.

Dr Crowley instructed twice, that photographs (plural) were to be included.

   b) The report clearly outlines this.

William Harvey is not a Doctor, and the photographs speak for themselves.

   c) This is an undisputed fact.

My medical report states I had three visits, not two.

   d) Please read Dr Crowley's medical report.

William Harvey actions do not harmonize with the facts.

   e) This is the reality of the evidence.

8. PIAB were only furnished an incomplete medical report, due to William Harveys partiality when selecting photographs that did not show the extent of my infection, and spread of rash on my body, which my medical report outlined twice, should be included.
   a) Please see my medical report from Dr Crowley to substantiate this fact.
   b) Please see photos initially provided to Mr Harvey, which he did not provide to PIAB.
   c) Please see a copy of email dated 26th of April 2021, from Harvey offices showing just 2 photos and Medical report.

Sincerely, Emmett Corbett.

LSRA
An tÚdarás Rialála
Seirbhísí Dlí
Legal Services
Regulatory Authority

Private and Confidential
Mr. Emmett Corbett

Cork

16 November 2021

Our Ref: 21/5302

Please quote the reference above in all correspondence to this office and refrain from using staples as all documents received are scanned.

Re: **Your complaint against- Mr William Harvey**

Dear Mr. Corbett,

I refer to the above and your phone call earlier today.

I enclose a copy of an email dated 12 November 2021 from Mr. Harvey.

Your attention is drawn to the last paragraph of Mr.Harvey's letter. He informs that the Statute of Limitations is continuing to run against your claim. You are strongly encouraged to take the neccessary action now to ensure that you will not be barred by statute from proceeding with your claim.

If you would like to reply to this correspondence please do so within the next 21 days. Please confine your reply to the issues raised in your original complaint. This is your final opportunity to make comments on this matter.

After the 21 day timeline, I hope to be in a position to complete the preliminary review of your complaint to consider whether or not it is admissible.

Yours sincerely,
"Sent electronically and therefore bears no signature"

William Slattery
Complaints and Resolutions Officer

The Legal Services Regulatory Authority
P.O. Box 12906
Dublin 7
Tel: +353 1 859 2911
Email: complaints@lsra.ie

Emmett Corbett,
36 Mervue Lawn,

Cork.

3st of December 2021

Complaint William Harvey

Ref:21/5302

Dear Mr. Slattery,

I am writing to you in response to your letter on the 16th of November 2021, where you inform me that the statute of limitations is running out in my case, and that I am encouraged to take action.

I was somewhat surprised to read this, as this was a matter, I had originally highlighted back on 27th of May 2021.

Please see the below extracts form my complaint when I contacted the LRSA for help, hoping resolve this ordeal in a just and prompt manner.

"I now have approximately 5 months to proceed with my case before times runs out, which would not be the case had I of known William Harvey was not following my instructions, by omitting documents from my medical report, and am precluded from taken my case to another Solicitor, until I discharge my bill to William Harvey, for substandard services rendered. With this being the case, I will end up owing €4,948.50, instead of being compensated for an accident that was no fault of my own."

"This ordeal has been very stressful for me, as I feel like my case is being held for ransom, for if proceed with William Harveys representation, I will lose out on any appropriate recompense for damages, but if I refuse, I will in fact owe €4,948.50, a sum of money which I cannot justify or afford.

Due to the facts outlined, I feel the only reasonable recourse would be for cost to be waived by William Harvey, and an addendum of my full medical report to be resubmitted to the PIAB.

I sincerely hope, that this unfortunate matter can be resolved justly before time runs out."

What more can I say on this, only that

a. I do not have the money to pay William Harvey.
b. William Harvey didn't follow my instructions; therefore, he did not keep his end of what was expected of him.
c. William Harvey is responsible for my case going in to Authorisation, and time counting down, due to not dealing with PIAB, when I instructed him.
d. I was the one who was in injured, in hospital and out of work, with medical and work bills to pay.
e. I was the one who was told by Mr Harvey, that this case was worth up to €40,000. and then afterwards I was to it was now €15,000
f. How can I possibly proceed with William Harveys services, after such a negative experience?

Emmett Corbett.

LSRA
An tÚdarás Rialála Seirbhísí Dlí
Legal Services Regulatory Authority

Private and Confidential
Mr. Emmett Corbett
[redacted]
Cork
[redacted]

22 December 2021

Our Ref: 21/5302
Please quote the reference above in all correspondence to this office and refrain from using staples as all documents received are scanned.

Re: **Complaint made to the Legal Services Regulatory Authority (LSRA) against Mr. William Harvey**

Dear Mr. Corbett,

I refer to the above and to previous correspondence on this matter.

I have conducted a preliminary review of your complaint and considered all the documentation provided by you and Mr. William Harvey. Having done so, I have determined that your complaint is inadmissible. This means that the complaint does not meet the criteria set out in the Legal Services Regulation Act 2015 ("the Act"), which would allow us to investigate it. The rationale for this decision is set out on the attached document.

I have written to Mr. William Harvey to advise him of the decision.

The LSRA will take no further action in respect of this complaint. The decision does not impact on any other legal rights, available to you or prohibit you exercising those rights.

The LSRA appreciates that you are likely to be disappointed with our decision, but please be assured that your complaint was given full consideration. The Act does not allow for an appeal of the admissibility decision. However, if you are not satisfied with the administrative actions of the LSRA in dealing with your complaint, it is open to you to complain to the Office of the Ombudsman.

The Ombudsman provides an impartial, independent and free service. The role of the Ombudsman is to consider whether a complaint has been dealt with in accordance with the procedures set out in the Legal Services Regulation Act 2015. The Ombudsman cannot examine the actions of the solicitor and it is not an appeal of the admissibility decision but a review of the administrative actions of the LSRA in dealing with your complaint. If you are making a complaint you should provide the Ombudsman with a copy of this decision letter.

You can make your complaint online using the complaint form on www.ombudsman.ie alternatively, you can make your complaint in writing or in person to: Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773; Phone: (01) 639 5600.

Yours sincerely,
"Sent electronically and therefore bears no signature"

William Slattery
Complaints and Resolutions Officer

The Legal Services Regulatory Authority
P.O. Box 12906
Dublin 7
Tel: +353 1 859 2911
Email: complaints@lsra.ie

Determination:

Having conducted a preliminary review for the purposes of section 57 of the Legal Services Regulation Act 2015, I determine the complaint to be **inadmissible**.

Rationale for inadmissible determination:

Description of complaint and categorisation

The complaint is submitted within the context of a workplace injury sustained by the complainant. He engaged the practitioner to pursue the claim on his behalf. The complainant has listed eight issues in his complaint. The complainant alleges that the legal services provided to him by the legal practitioner were of an inadequate standard pursuant to S. 51 (1) (a) of the Legal Services Regulation Act 2015.

The practitioner responded directly to the eight issues raised by the complainant. The practitioner also responded directly on 12th November 2021 to the matters raised by the complainant. The practitioner states that the complainant never queried the Bill of Costs before receipt of the complaint form on 16th August 2021. The practitioner confirms that his office previously conveyed their Terms and Conditions of Engagement to the complainant. The practitioner states that the fees incurred by their office were agreed. Of note, the practitioner confirms that the complainant was free to engage the services of another solicitor if he was not happy with the service provided by the practitioner.

With regard to admissibility, the following determinations arise from the preliminary review, on the basis of the information and documentation provided.

The complainant is a client of the legal practitioner.

The Authority is of the opinion that the complaint is frivolous or vexatious (namely, that the facts alleged, if proved, could not result in a finding against the legal practitioner under Part 6 of the Legal Services Regulation Act 2015) because the practitioner has addressed in detail the issues raised by the complainant and explained fully the steps taken during the course of his work on behalf of the complainant. The practitioner has acted in a reasonable and professional manner towards the complainant. The complainant is free to seek alternative legal representation in order to advance his claim.

Signed: William F. Slattery

Position: **Complaints and Resolutions Officer**

Date: 21 December 2021

Emmett Corbett,

Cork.

9th of January 2022

Complaint William Harvey

Ref:21/5302

Dear Eleanor Carmody,

I am writing to you, as I would like to know if there is an appeal process within the LRSA concerning the above complaint.

The reason for this, is that none of the questions I had concerning my complaint, were addressed, please find one of my responses to William Harvey which outlined such questions.

I do find it very odd, that Mr William Slattery found issues highlighted by me in my second response as "frivolous or vexatious", as my complaint was not a matter of cost, but rather what I was paying the costs for i.e. negligence and substandard services from William Harvey.

Could you please personally have a look at my response again, as I believe that important issues were overlooked by Mr Slattery.

Also, can you please send me a copy of my file, as I would like to know if the LRSA had all the documentation I sent in.

Regards, Emmett Corbett.

LSRA
An tÚdarás Rialála
Seirbhísí Dlí
Legal Services
Regulatory Authority

Private and Confidential
Mr Emmett Corbett

Cork

22 February 2022

Our Ref: 21/5302

Please quote the reference above in all correspondence to this office and refrain from using staples as all documents received are scanned.

Re: **Correspondence received by the Legal Services Regulatory Authority**

Complainant Name: Emmett Corbett **Practitioner Name:** William Harvey

Dear Mr Corbett,

I acknowledge receipt of your letter dated 9 January 2022.

As requested I attach a copy of your file. There is no appeal of an admissibility decision but, as advised, you do have the right to make a complaint to the Ombudsman. The contact details for the Ombudsman were in our letter of 22 December 2021. For your ease of reference I have copied them below.
Thank you for your assistance

www.ombudsman.ie; Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2, D02 W773; Phone: (01) 639 5600.

Yours sincerely,
"Sent electronically and therefore bears no signature"

Eleanor M. Carmody
Head of Complaints and Resolutions Unit

Martin A.
Harvey & Co.
Solicitors
est.1936

Martin A. Harvey & Co. Solicitors
Parliament House,
9 Georges Quay,
Cork City, Ireland.
DX 2087.

maharvey@martinharvey.ie
martinharvey.ie

Our Ref: WH/MC/COR106/0001

02 February 2022

Emmett Corbett

Cork

Re: Accident 05/03/2019

Dear Emmett,

We refer to the above matter and previous correspondence herein.

Please be advised that our Bill of Costs remains outstanding and we would ask that you please furnish our Offices with cheque / EFT in the sum of €4,948.50.

We understand that you are in receipt of the contact details for the representative from the Insurer of the Respondents to the Injuries Board application. You should engage another Solicitor to take up advice with respect to the Statute of Limitations. We have written to you on several occasions in this regard in the past and via the complaints department of the LRSA.

We look forward to hearing from you by return. If we don't hear from you within twenty-one days, proceedings will issue to recover the above debt.

Yours faithfully,

William Harvey
Martin A. Harvey & Co

Martin A.
Harvey & Co.
Solicitors
est.1936

Martin A. Harvey & Co. Solicitors
Parliament House,
9 Georges Quay,
Cork City, Ireland.
DX 2087.

maharvey@martinharvey.ie
martinharvey.ie

Our Ref: WH/JM/COR106/0001

24 February 2022

Private & Confidential
Emmett Corbett

Cork

Re: Accident 05/03/2019

Dear Emmett,

We refer to the above matter and your letter of the 16th of February, 2022 and our subsequent conversation of the 21st of February, 2022.

As discussed during our telephone conversation, we are not in a position to give you legal advice in respect of the content of our earlier letter to you of the 2nd of February, 2022. It is our intention to issue District Court proceedings to recover the fees owing to our offices. This will only go to incur further expense to you.

In order to conclude matters, we would again ask that you please furnish our offices with the sum of €4,948.50 to conclude matters.

We await hearing from you by return.

Yours faithfully,

William Harvey
Martin A. Harvey & Co.

UN-SOCIAL HOUSING

In the proceeding documentation you will see my application for social housing being refused, on the grounds that I earn too much money.

However as much as I would like this to be true, I am not, and have provided Cork city hall with Revenue statements, showing what I earned for the past few years, while being fully tax compliant.

When I corresponded with Cork city halls Housing Department, after they refused my application, and requested my Revenue documents returned, they did not have them, thus I was assessed on protentional income, which I had never earned, and my current income not taken into consideration.

I did highlight this matter with the Ombudsman, where I had provided them with all the relevant documentation, pertaining to myself and my wife's income, to which I received an acknowledgement letter from them in 29th of July 2021.

Cork city halls housing department responded back in November 2021, and I was informed that Cork city hall, had responded to my situation.

Bizarrely, the response I received from Cork city hall, was the same response I had received in January 2021, which never addressed my proof from the Revenue, therefore I had come full circle with the Ombudsman.

Meanwhile my wife, daughter and I have yet to live together as a family, as we are not eligible for rent a supplement like HAP, and cannot afford to pay the high private rents.

Emmett Corbett

Cork.

RECEIVED
27 JUL 2021
Office of The Ombudsman

To who it may concern,

I would like to have addressed some issues that came to my attention regarding my housing application, the circumstances of how I was evicted from my home I was living in for some years, and why I am currently being refused a place on the housing list, for allegedly earning too much money, when I have provided documentation to show that I wasn't.

I have included various documents to show how long I was on the housing list, and how often I would call in about adequate housing, and also 5 photos that show the condition of my sleeping area.

Concerning proof of income, I have included payslips from myself and my wife, and annual income showing that I was well under the required threshold, my wife had put down 13000 instead of 1300 for 2020, and this was later proved by a letter from Revenue, which they have somehow misplaced.

Also please see attached a letter to Cork city hall querying how these statements went missing.

I am currently waiting of these lost finical statements from Revenue again, and can furnish them to you as soon as I receive them.

Thanking You, Emmett Corbett

Emmett Corbett

Ombudsman

Our Reference: OMB-110961-W7M1B7

29 July 2021

Mr. Emmett Corbett

Co Cork

Dear Mr. Corbett,

Thank you for contacting the Ombudsman's Office with your complaint about Cork City Council .

A caseworker will be assigned to your case and we will be in touch again as soon as possible.

Yours sincerely,

Early Resolution Unit

Office of the Ombudsman

6 Ardán Phort an Iarla, Baile Átha Cliath 2, D02 W773 | 6 Earlsfort Terrace, Dublin 2, D02 W773
T: 01 639 5600 | info@ombudsman.ie | www.ombudsman.ie | Twitter: @OfficeOmbudsman

Comhairle Cathrach Chorcaí
Cork City Council
Housing Allocations Section
Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Mr Emmett Corbett
[redacted]
Cork

20/01/2021

Applicant Reference Number: 77747

RE: HOUSING APPLICATION

Dear Mr Corbett

Following recent review of application submitted, I regret to inform you, that your application has been deemed ineligible due to the household income exceeding the limit as laid down in the Housing Assessment Regs 2011.

The eligibility criteria for applicants for allocations of dwellings must comply with the eligibility criteria as set out in the Housing Acts 1966 – 2009, the Social Housing Assessment Regulations 2011 and the Social Housing Assessment (Amendment) Regulations 2011.

Household Composition: 2 Adults and 1 child~~ren~~.

Your current net income is: €43959.40
Limit set: €37625.00

Yours sincerely,

Kathryn Collins
Housing Assessment Officer

We are Cork.

In all correspondence please quote:
District: 016
Unit: [redacted]
PPS No.:
Notice No.:

Eibhlín Nic Cárthaigh
Business Division - Cork
Revenue House
Blackpool
Cork

Enquiries: 01 7383614

6 Aug 2021

MR EMMET CORBETT
T/A T/A
[redacted]
CORK

Self Assessment - Chapter 4 of Part 41A TCA 1997
Income Tax for the year ending 31/12/2017

Dear Sir/Madam

I acknowledge receipt of your income tax return and self assessment for the year ending 31/12/2017. Details of your Self Assessment are set out as follows:

Amount of income or profits arising for this period	€15,054.00
Amount of income tax chargeable for this period	€3,010.80
Amount of USC chargeable for this period for self	€136.11
Amount of PRSI chargeable for this period for self	€4.56
Amount of tax payable for this period	€7.67
Amount of surcharge due under S 1084 because of:	
- late filing of this return or	€0.00
- of non-compliance with LPT requirements	€0.00
Amount of tax paid directly to the Collector General for this period	€0.00
Balance of Tax Payable for this period	**€7.67**

This balance of tax should be paid immediately.

Payments made to Revenue that have not yet been debited from your bank account are not reflected in the Balance above.

Yours Faithfully,

Eibhlín Nic Cárthaigh
District Manager

€ Payslip IT ACK

Revenue
Cáin agus Custaim na hÉireann

Single Debit Authority
Please debit my account, details of which are outlined below, with the amount specified.

DEBIT AMOUNT

, , .00

The amount entered below is to be credited to the tax year indicated.

Signature:____________________ Date : ________

Name: MR EMMET CORBETT
PPS No.: [redacted]
Year: 1/1/2017 to 31/12/2017

Whole Euro only - DO NOT ENTER CENT

ASC31
S

International Bank Account Number (IBAN)

Bank Identifier Code (BIC)

TOTAL TAX DUE

, , .00

ASC31
S

X

In all correspondence please quote:
District: 016
Unit: 010
PPS No.:
Notice No..

Eibhlín Nic Cárthaigh
Business Division - Cork
Revenue House
Blackpool
Cork

Enquiries: 01 7383614

6 Aug 2021

MR EMMET CORBETT
T/A T/A

CORK

Self Assessment - Chapter 4 of Part 41A TCA 1997
Income Tax for the year ending 31/12/2018

Dear Sir/Madam

I acknowledge receipt of your income tax return and self assessment for the year ending 31/12/2018. Details of your Self Assessment are set out as follows:

Amount of income or profits arising for this period	€19,000.00
Amount of income tax chargeable for this period	€3,265.00
Amount of USC chargeable for this period for self	€146.32
Amount of PRSI chargeable for this period for self	€485.16
Amount of tax payable for this period	€600.48
Amount of surcharge due under S 1084 because of:	
▪ late filing of this return or	€0.00
▪ of non-compliance with LPT requirements	€0.00
Amount of tax paid directly to the Collector General for this period	€0.00
Balance of Tax Payable for this period	**€600.48**

This balance of tax should be paid immediately.

Payments made to Revenue that have not yet been debited from your bank account are not reflected in the Balance above.

Yours Faithfully,

Eibhlín Nic Cárthaigh
District Manager

€ Payslip IT ACK

Revenue
Cáin agus Custaim na hÉireann
Irish Tax and Customs

Single Debit Authority

Please debit my account, details of which are outlined below, with the amount specified.

DEBIT AMOUNT

, , .00

International Bank Account Number (IBAN)

Bank Identifier Code (BIC)

The amount entered below is to be credited to the tax year indicated.

Signature:____________________ Date : __________

Name: MR EMMET CORBETT
PPS No:
Year: 1/1/2018 to 31/12/2018

Whole Euro only - DO NOT ENTER CENT

ASC31
S

TOTAL TAX DUE

, , .00

ASC31
S

X

In all correspondence please quote:
District: 016
Unit: 010
PPS No.:
Notice No.:

Eibhlín Nic Cárthaigh
Business Division - Cork
Revenue House
Blackpool
Cork

Enquiries: 01 7383614

6 Aug 2021

MR EMMET CORBETT
T/A T/A

CORK

Self Assessment - Chapter 4 of Part 41A TCA 1997
Income Tax for the year ending 31/12/2019

Dear Sir/Madam

I acknowledge receipt of your income tax return and self assessment for the year ending 31/12/2019. Details of your Self Assessment are set out as follows:

Amount of income or profits arising for this period	€22,096.00
Amount of income tax chargeable for this period	€3,884.20
Amount of USC chargeable for this period for self	€208.24
Amount of PRSI chargeable for this period for self	€776.84
Amount of tax payable for this period	€1,769.28
Amount of surcharge due under S 1084 because of:	
▪ late filing of this return or	€0.00
▪ of non-compliance with LPT requirements	€0.00
Amount of tax paid directly to the Collector General for this period	€0.00
Balance of Tax Payable for this period	**€1,769.28**

This balance of tax should be paid immediately.

Payments made to Revenue that have not yet been debited from your bank account are not reflected in the Balance above.

Yours Faithfully,

Eibhlín Nic Cárthaigh
District Manager

€ Payslip IT ACK

Revenue
Cáin agus Custaim na hÉireann
Irish Tax and Customs

Single Debit Authority
Please debit my account, details of which are outlined below, with the amount specified.

DEBIT AMOUNT

, , .00

International Bank Account Number (IBAN)

Bank Identifier Code (BIC)

The amount entered below is to be credited to the tax year indicated.

Signature:______________________ Date : __________

Name: MR EMMET CORBETT
PPS No.:
Year: 1/1/2019 to 31/12/2019

Whole Euro only - DO NOT ENTER CENT

ASC31
S

TOTAL TAX DUE

, , .00

ASC31
S

X

In all correspondence please quote:
District: 016
Unit: 010
PPS No.:
Notice No.:

Eibhlín Nic Cárthaigh
Business Division - Cork
Revenue House
Blackpool
Cork

Enquiries: 01 7383614

17 Feb 2022

MR EMMET CORBETT
T/A T/A

CORK

Self Assessment - Chapter 4 of Part 41A TCA 1997
Income Tax for the year ending 31/12/2020

Dear Sir/Madam

I acknowledge receipt of your income tax return and self assessment for the year ending 31/12/2020. Details of your Self Assessment are set out as follows:

Amount of income or profits arising for this period	€31,461.00
Amount of income tax chargeable for this period	€5,927.20
Amount of USC chargeable for this period for self	€480.92
Amount of PRSI chargeable for this period for self	€0.00
Amount of tax overpaid for this period	€12.61
Amount of surcharge due under S 1084 because of:	
▪ late filing of this return or	€0.00
▪ of non-compliance with LPT requirements	€0.00
Amount of tax paid directly to the Collector General for this period	€0.00
Balance of tax overpaid for this period	**€12.61**

This overpayment will be dealt with as soon as possible.

Payments made to Revenue that have not yet been debited from your bank account are not reflected in the Balance above.

Yours Faithfully,

Eibhlín Nic Cárthaigh
District Manager

In all correspondence please quote:
PPS No

Eibhlín Nic Cárthaigh
Business Division - Cork
Revenue House
Blackpool
Cork
T23 W922

Spouse

Enquiries: 01 7383614

Date: 14 February 2022

Employment Detail Summary 2021

If any of this information is incorrect, please contact your employer / pension provider directly to have it corrected

Job / pension details

Employer / pension provider name	
Employer / pension provider no.	
Employment ID	1
Start Date	11/08/2018

Pay, Income Tax, USC, LPT and PRSI details

Gross pay	€903.25
Pay for Income Tax	€903.25
Income tax paid	€22.42
Taxable benefits	€0.00
Pay for USC	€903.25
USC paid	€4.51
LPT deducted	€0.00
Employee PRSI paid	€0.00
Employer PRSI paid	€79.50

PRSI classes

PRSI class	A0
Number of Insurable weeks	7

In all correspondence please quote:
PPS No

Eibhlín Nic Cárthaigh
Business Division - Cork
Revenue House
Blackpool
Cork
T23 W922

Spouse

Enquiries: 01 7383614

Date: 14 February 2022

Employment Detail Summary 2021

If any of this information is incorrect, please contact your employer / pension provider directly to have it corrected

Job / pension details

Employer / pension provider name	
Employer / pension provider no.	
Employment ID	1
Start Date	01/12/2021

Pay, Income Tax, USC, LPT and PRSI details

Gross pay	€420.00
Pay for Income Tax	€420.00
Income tax paid	€168.00
Taxable benefits	€0.00
Pay for USC	€420.00
USC paid	€33.60
LPT deducted	€0.00
Employee PRSI paid	€0.00
Employer PRSI paid	€33.98

PRSI classes

PRSI class	A0
Number of Insurable weeks	4
PRSI class	J0
Number of Insurable weeks	1

Ombudsman

Our Reference: OMB-112030-H0D5X5

15th November 2021

Mr. Emmett Corbett,

Cork

Dear Mr. Corbett,

I am contacting you to let you know that Cork City Council has told us that a response to your complaint has been sent to you dated 12th November 2021.

In our recent telephone discussion 01/11/21, I explained that the Ombudsman could not examine your complaint until you received a response from Cork City Council. We said we would look into Cork City Council's delay or failure to respond, but as the Council has now answered, we have closed our file on the case.

If you are not satisfied with Cork City Council's response to your complaint and would like this Office to examine the matter, please contact us again. If doing so, please send us copies of all relevant documents, including a copy of the Council's response to your complaint, as well as details of what you disagree with in the response, and why.

Yours sincerely,

Brian Dunk
Early Resolution Unit

Comhairle Cathrach Chorcaí
Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Mr. Emmett Corbett,

Cork

12th November 2021

Re: Assessment of Income for social housing support

Dear Mr. Corbett,

Your recent request for further information regarding the assessment of income eligibility for social housing support refers.

As notified by letter from Kathryn dated 20th January last, your application for social housing support is closed, as based on income details submitted, your household earnings exceed the limits specified in national legislation to determine eligibility for social housing support.

Both the income limits and the process for assessing household income to determine eligibility for social housing support are specified by the Department of Housing, Local Government and Heritage. All local authorities in the country are required to adhere to the national policy in assessing applicants per the Social Housing Assessment Regulations 2011.

The income assessed is average net income (i.e. gross income less income tax, USC and PRSI) and the limit for a household of 2 adults and 1 child is €37,625 net income per annum; there is no provision to deduct any other living expenses in the calculation process.

Based on the details submitted with your application form (copies attached), your household income is assessed at €43,959.40. As the income limits are part of the national assessment regulations to determine eligibility, we don't have any discretion other than closing the file if a household income exceeds the legislative limit specified household type.

However, if you believe your financial circumstances have since changed and your household income is now below the specified threshold, it is open to you to submit a newapplication. As the Social Housing Assessment (Amendment) Regulations 2021 in force since April 19th 2021 has specified a new application form and require income to be assessed across a full 52 week period, you will need to provide the evidence of income for both you and Laura for the full year prior to the re-application date as specified on the attached form.

Yours sincerely,

Lisa Horgan,
Administrative Officer,
Housing Allocations,
Housing & Community Directorate,
Cork City Council.

We are Cork.

Emmett Corbett

Cork.

17th of November 2021

MISSING DOCUMENTS

Dear Brian Dunk,

I am writing to you, to update you on a letter I have received from Cork city hall.

In the letter, they maintain that I was earning too much money, but when they wrote to me, they never included my Revenue documents, which they were provided with, nearly one year ago.

We have now come full circle, back to my original complaint, which was that I was not correctly accessed, as Cork city hall never addressed why they did not include my annual income for the past 3 year, from the Revenue.

Please find enclosed, my past correspondence on this matter, including the cover letter form Cork city hall, which never included my Revenue documents.

Thanking You, Emmett Corbett

Ombudsman

Our Reference: OMB-116457-L7L8K3

17th February 2022

Mr. Emmett Corbett

Cork

Dear Mr. Corbett,

I am writing to you about your complaint about Cork City Council. I have investigated your case and I am sorry to say that I cannot uphold your complaint. I have set out the reasons for my decision below.

Your complaint

Your complaint to this office was that, when you submitted a housing support application, wrong details were inputted and the Council would not consider further documentation once the decision was made. You say as your Revenue documents were not returned, you feel they were not considered.

The Council's position

The income limits to determine eligibility for social housing support are set nationally, and the applicable maximum household income for a household of 2 adults and 1 child is €37,625.00 net per annum. Based on the documentation submitted in December 2020, the income for your family was assessed at €43,959.40 rendering you ineligible for social housing support. A letter was issued confirming this on 20th January 2021, and a further letter was issued on 12th November 2021 outlining how income is assessed (i.e. gross income less tax, USC and PRSI). As the assessment regulations changed in April 2021, the legislative basis for assessment of income is now calculated on a full year's income for each adult household member. The letter issued in November included a fresh application form to allow you to re-apply if you wish, with updated annual income information if you believe your current financial circumstances would bring your household income below the €37,625.00 threshold.

Role of the Ombudsman

The Ombudsman does not have the power to compel a service provider to make a particular decision or follow a particular course of action. In dealing with cases on their individual merits the Ombudsman seeks to determine whether the administrative actions of the service provider as they relate to the complainant may have amounted to maladministration and whether there has been clear consequential adverse effect on the complainant arising directly from such maladministration. In such cases the Ombudsman may suggest a remedy to mitigate the adverse effect suffered. However, the Ombudsman must be satisfied that the evidence of the case supports any conclusions which may suggest maladministration on the part of the service provider.

The role of the Ombudsman in examining such complaints is confined to ensuring that Council has acted in accordance with the guidelines and legislation in place.

Analysis & Conclusions

The Council based its decision on the information available to it at the time. While I appreciate that a mistake was made on the form, the Council can only make a decision on what is provided to it. It has confirmed that all information provided, including your subsequent Revenue documents, was considered in making a decision. Assessment regulations changed in April 2021 so will need to reapply if you wish to be considered for housing support. While I appreciate that you feel that you are not being treated fairly by the Council however, from examining all the information available to me, I regret that I cannot make an adverse finding against the Council. The Council processed your application based on the information it had at the time.

Because of that, I am now closing our file on your complaint. If you are unhappy with my decision, it is open to you to request a review by emailing review@ombudsman.ie, or by writing to Review Unit, Office of the Ombudsman, 6 Earlsfort Terrace, Dublin 2 D02 W773

Yours sincerely,

Claire Kelly

Claire Kelly
Caseworker

WRONG ADDRESS

The following correspondence concern decisions from Cork city hall, where I was given the option to appeal their decision with the Information Commissioner, and if I did not reply within a 6-month window, I would have no space to appeal their decision.

Strangely, on the two occasions when I had this option, all of a sudden there was a clerical error with my address, what was always , suddenly became both on 17th of December 2020 and on 10th of May 2021.

Also when I highlighted this matter with the Housing Minister, they also sent my letter to the same wrong address.

Comhairle Cathrach Chorcaí
Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Mr. Emmett Corbett,
[redacted],

Cork

17th December, 2020

Re: Request for Internal Review FOI 116-20

Dear Mr. Corbett,

I refer to your request received under the Freedom of Information Act 2014, to access the following information; -

"*I would like a copy of all files concerning my housing application that are held by RAS and other departments that have any information on me.*"

Clarification:
During a phone conversation on 7th July, 2020 you verified that it was records held by the Housing Department.

Acknowledgement Of Internal Review

Your request for Internal Review was received on 14th December, 2020.

Decision

Taking note of your comments in your request for an internal review I have carried out a review of the case.

The matters you raise in your correspondence dated 9th December requesting an Internal Review do not form the basis for a valid request for Internal Review.
An Internal review evaluates the original decision made in respect of an FOI request and the review is conducted by a senior member of staff. Your original request was granted and you do not state in your correspondence that you have any issue with the decision.
If you dispute the contents of records detailing your interactions with the Council, you can complete the attached form (Request for Amendment of Personal Information under the Freedom of Information Act 2014).

The Freedom of Information (FOI) Act gives you the right to ask to have anything on a record about you held by Cork City Council changed if you believe it is:

- Incorrect
- Incomplete

- Misleading

You must state in writing what you believe is incorrect, incomplete or misleading and what you want changed. You should also provide any information which will support the changes you want. You should complete this form to ask for the changes you want and send it to:

FOI Officer,
Cork City Council,
City Hall,
Anglesea Street,
Cork

If you wish to view your amended record, you will need to provide proof of your identity by providing documentation such as birth certificate, drivers licence etc.

Cork City Council must reply to you within 4 weeks of receiving this form. You will be advised of the changes which have been made, or if your request has been declined, you will receive a full explanation.

If you are not satisfied with the decision on your request you may ask for an Internal Review. A Senior Officer will review your application and you will be told the final result of this review within 3 weeks. There is no charge for an internal review of a refusal to amend your personal records. If you are still dissatisfied, you may appeal the matter to the Office of the Information Commissioner.

Alternatively you can apply online at:
https://www.corkcity.ie/en/council-services/public-info/freedom-of-information/amendment-of-personal-information.html

Arising from this review I advise that I have now decided to affirm the original decision made in this case.

Right of Appeal

You may make an 'application for review' of this decision to the Information Commissioner no later than 6 months from the date of this notification. In the event that that you need to make such an 'application for review' you can do so by writing to:

The Office of the Information Commissioner,
6 Earlsfort Terrace,
Dublin 2,
D02 W773.

Alternatively you may appeal using the Office of the Information Commissioner on-line application form which can be located at: https://www.oic.gov.ie/en/apply-for-review/apply-for-review-online/

If an appeal is made by you and accepted, the Information Commissioner will fully investigate and consider the matter and issue a fresh decision.

Yours sincerely,

Paul Moynihan
Director of Service
Corporate Affairs & International Relations
Cork City Council

Comhairle Cathrach Chorcaí
Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Mr. Emmett Corbett,
[redacted],

Cork

10th May

2021

Re: Request for Internal Review regarding Amendment to Personal Information

Dear Mr. Corbett,

I refer to your request received for amendment to Personal Information under the Freedom of Information Act 2014 –

See attached three pages from Mr. Corbett detailing the information which he believes is incorrect:

Acknowledgement Of Internal Review

Your request for Internal Review was received on 21st April, 2021 and acknowledged on 29th April.

Decision

Taking note of your comments in your request for an internal review I have carried out a review of the case.
In coming to my decision on this internal review, I have had regard to guidance notes and previous decision made by the Office of the Information Commissioner (OIC). I attach a copy of these guidance notes for your information.

Section 9 provides a mechanism for the amendment of records held by FOI bodies which contain personal information relating to the applicant. An applicant seeking to exercise the right of amendment under section 9 is required to demonstrate that the information which is the subject of the application is on the balance of probabilities, incomplete, incorrect or misleading. The information concerned must be personal information relating to the applicant within the meaning of the FOI Act.

The FOI Act does not state explicitly where the onus of proof lies in asserting that the information is incomplete, inaccurate or misleading. However the Commissioner takes the view that in the absence of explicit guidance, the onus of proof rests with the applicant. The standard of proof required is that of the "balance of probabilities".

Therefore an applicant seeking to exercise their right of amendment under Section 9 must demonstrate, on the balance of probabilities how the information is incomplete, inaccurate or misleading.

In this case you dispute the contents of a record containing details of a telephone conversation which took place in 2015 between yourself and a Cork City Council staff member.

You have set out in your application the strength of your feelings that in your opinion that some contents of the record are incorrect and should be amended. While you might agree with the judgements expressed in the record, the OIC has found in similar cases that the mere statement of a contrary opinion by an individual, was, of itself, an insufficient basis for concluding that the information should be amended under section.

The Commissioner takes the view that he would not be justified in directing that an FOI body amend its records on the sole basis of contrary statements or opinions - however strongly held - by the person seeking the amendment.

In Case 99260 the applicant sought to have two records which contained assessments of her performance deleted from her personnel file. Her submissions provided the Commissioner with a clear indication as to the strength of her feelings that the opinions expressed in the assessments were flawed. However, the Commissioner was unable to identify anything in those submissions which would have led him to the conclusion that the information which she sought to have deleted was "incomplete, incorrect or misleading" information. While the applicant might not have agreed with the judgements expressed in the records, the Commissioner found that the mere statement of a contrary opinion by her, was, of itself, an insufficient basis for concluding that the information should be amended under section 9* of the Act. 2.2.8 In a number of cases where conflicting accounts of events have been provided, the Commissioner has found that, on the balance of probabilities, the applicant had not provided sufficiently strong evidence to support the application for amendment.

In my opinion you have not been able to provide supporting evidence to support your claim and your assertions alone do not form sufficient evidence to warrant any amendment.

A statement of contrary opinion from you is not a sufficient basis for me to instruct an amendment to the records, notwithstanding these are strongly held opinions by you.

In the absence of any supporting evidence to support your claims and that the balance of probabilities has not in my opinion been reached, I uphold the original decision made by Josephine Gazely on 12th April, 2021 and refuse your request to amend the personal information contained in the records.

However as required Under S9(4) of the FOI Act 2014 a copy of your appeal will be attached to the disputed record.

S9(4) (a) If the grant of an application under subsection (1) is refused, the head concerned shall—

(i) attach to the record concerned the application or a copy of it or, if that is not practicable, a notation indicating that the application has been made.

Right of Appeal
You may make an 'application for review' of this decision to the Information Commissioner no later than 6 months from the date of this notification. In the event that that you need to make such an 'application for review' you can do so by writing to:

The Office of the Information Commissioner,
6 Earlsfort Terrace,
Dublin 2,
D02 W773.

Alternatively you may appeal using the Office of the Information Commissioner on-line application form which can be located at:
If an appeal is made by you and accepted, the Information Commissioner will fully investigate and consider the matter and issue a fresh decision.

Yours sincerely,

Paul Moynihan
Director of Service
Corporate Affairs & International Relations
Cork City Council

An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

31 March 2022.

Mr. Emmett Corbett,
[redacted]
Ballyvolane,
Cork.

Dear Mr Corbett,

I have been asked by Mr Darragh O'Brien, TD, Minister for Housing, Local Government and Heritage to reply to your recent correspondence in relation to your current housing situation.

While the Minister is sympathetic to your situation, he has asked me to explain that he is primarily responsible for the formulation and implementation of policy and for the preparation of legislation and guidelines in relation to housing nationally. The day-to-day operation of the social housing system is a matter for the relevant local authority.

Section 63(3) of the Local Government Act 2001 provides that, subject to law, a local authority is independent in the performance of its functions. The Minister is precluded by housing legislation from intervening in relation to the procedures followed, or decisions made, by local authorities in the provision of social housing support regarding any individual application.

I am sorry I cannot be of direct assistance, but as set out above the Minister is precluded by law from becoming involved in individual cases, so I would suggest that you remain engaged with the Council's Housing Department about your situation and they will provide you with an update accordingly.

If you are unhappy with how Cork County Council have dealt with your issue, you can complain to them by via their Customers Services Centre at

Corporate Services Directorate,
Cork County Council,
Floor 14, County Hall,
Carrigrohane Road,
Cork,
T12 R2NC

or via email: customercare@corkcoco.ie

Oifig an Aire Tithíochta,
Rialtais Áitiúil agus Oidreachta
Office of the Minister for Housing,
Local Government and Heritage

Teach an Chustaim, Baile Átha Cliath, D01 W6X0
Custom House, Dublin, D01 W6X0
T +353 1 888 2403 | minister@housing.gov.ie
www.housing.gov.ie

Appeal of Response to Formal Complaint:
If you are unhappy with the response to your formal complaint you may lodge an appeal which will be dealt with by a more senior member of staff of Cork County Council. Contact details are the same as above.

Appeal to Ombudsman:
If you are unhappy with the response from Cork County Council you may submit an appeal to the Office of the Ombudsman. Contact details and further information are available on www.ombudsman.ie

By law the Ombudsman can investigate complaints about any Local Aauthority administrative actions or procedures as well as delays or inaction in your dealings with your Local Authority. The Ombudsman provides a free, impartial and independent dispute resolution service.

Contact details are as follows:

Office of the Ombudsman
6 Earlsfort Terrace,
Dublin 2,
D02 W773

Yours sincerely,

Niamh Redmond

Niamh Redmond,
Private Secretary.

Emmett Corbett

Cork.

19th of July 2021

Internal Review

Dear Paul Moynihan,

I am writing to you as I would like to query why your response to my request for Amendment to Personal details, which proposed I could to write to The Office of the Information Commissioner, was sent to the wrong address of [redacted], when all along when I was corresponding with your office, you had sent it to my correct address of [redacted]?

The reason I ask, is because as stated by you, I had 6 months to appeal to the Information Commissioner, but had it not come to my attention that your letter was suddenly sent to the wrong address, I would have run the risk of time running out, which would eventually left me with no time to contest your response.

Also, I did apply to get on the housing list, and had provided Cork city hall housing department, with payslips and statements from the Revenue to prove my income was well below the threshold, but was informed that I was earning too much money, when in fact I wasn't.

Can you please tell why I was not responded to in an appropriate manner, that would have outlined the reason why I was refused, which would have demonstrated figures showing such an assertion.

I did ask for my financial documents to be returned, but when I received them, the statements from the Revenue, which showed my income to be well under the threshold, were missing, which makes me wonder, if they were ever taken into consideration in the first place?

If any of the issues raised here by me don't fall under your remit, could you please send my query to the appropriate department, as to resolve this matter.

Thanking you, Emmett Corbett.

Comhairle Cathrach Chorcaí
Cork City Council

Halla na Cathrach, Corcaigh - City Hall, Cork - T12 T997

Private and Confidential
Mr. Emmett Corbett

Cork

11th August, 2021

Re: **Request for Amendment of Personal Information under Freedom of Information Act 2014.**

Dear Mr Corbett,

I refer to your letter of 19th July, 2021 received regarding an Internal Review Decision letter of 10th May 2021 and other housing matters.

I wish to apologise for the error in your address in the internal review letter however this was due to a clerical error.

Your appeal to the Office of the Information Commissioner has been passed to this office and the Commissioner will be in contact with you when their investigation is completed.

The remaining queries in your letter have been forwarded to our Housing Department for their attention and response as the FOI section has no involvement in these.

Yours sincerely,

Noreen Mulcahy

Noreen Mulcahy
FOI Officer
Cork City Council

We are Cork.

MY TIME ON THE HOUSING LIST AND NO OFFER

These documents show my living condition back in 2013, and letters for my local Politicians.
Also, they show how often I would call in to Cork city halls housing department, seeking to be adequately housed, even though the country was awash with ghost estates.

At the time I was in the USA, on a 3-month holiday visa, but it was unclear how long I was going to stay, as I was invited to stay with a friend in Florida, and visit family living in Boston.

This was a good opportunity to get a break out of my dingy flat.
I had informed the Social Welfare that I was out of the county, (it can easily be verified, that I was not over paid) but was unaware that I had to notify City Hall as for me it was a holiday.

I had asked a friend to mind my apartment for me, and had left money for bills, but when I rang him to see how everything was going, he informed that locks to my apartment had been changed.

I rang to sort out about the matter, as I was unsure what to think.
While on the phone to Cork city hall, I was informed that Social welfare were looking into my claim, with the inference that I was somehow going to be caught, for a fraudulent over-payment with the social welfare, which was never so.

I was never given the option to return to Ireland, as my home was gone, and the locks changed without me knowing, and the contents of my flat gone.
While on the phone, I remember the gleeful tone of voice, when I was informed that "my application for housing was closed" and that I "would have to re-apply"

This troubled me a lot, knowing that I was waiting for housing since 1999, and then homeless, without any recourse.

Comhairle Cathrach Chorcaí Cork City Council

CITY HALL
CORK
IRELAND

Fón/Tel: 021-4924000
Faics/Fax: 021-4314238
Líonra/Web: www.corkcity.ie Tag/Ref

Ref: 35083

6th February 2006

Mr Emmett Corbett

Cork City

A Chara,

I am writing to you in relation to your application for housing with Cork City Council.

I wish to advise you that the credit date on your housing application is 03/3/99.

If you have any other queries please do not hesitate to contact this office.

Is mise le meas,

Housing Allocations

Halla na Cathrach
Corcaigh, Éire.

BILLY KELLEHER TD
CORK NORTH CENTRAL

7 September 2007

Mr. Emmett Corbett

Cork

Dear Emmett,

With regard to your visit to my office the other day I have been in touch with the City Council and I have asked them to look favourably upon your housing application.

I have also informed them that you are interested in the Voluntary Housing schemes that are coming up in the Blackpool area. I will be making further representations on your behalf.

Kindest regards,

Yours sincerely

Billy

Billy Kelleher TD
Minister for Labour Affairs

FIANNA FÁIL
THE REPUBLICAN PARTY

Constituency office:
28a Ballyhooley Road,
Dillons Cross, Cork.
Tel: 021/4502289 **Fax:** 021/4502356
Email: billykelleher@eircom.net

Dáil Éireann
Leinster House
Kildare Street
Dublin 2

Dáil Éireann
Teach Laighean
Sráid Chill Dara
Baile Átha Cliath 2

Web: www.billykelleher.com

MICHEÁL MARTIN TD
UACHTARÁN FHIANNA FÁIL

Ref No: **CK7643**

Please quote our reference number on all correspondence

26 Jul 2012

Mr Emmet Corbett

Victoria Terrace

Cork.

Dear Emmet

I have again written on your behalf to Mr Eamonn Hanrahan, Housing Officer, Cork City Council, concerning your urgent need to obtain accommodation.

I have again outlined in detail your current situation and have asked that you would be given urgent consideration for any suitable tenancy that may arise in your preferred locations.

I will continue to pursue the matter with the Housing Department for you and when I have further news I will contact you again.

Yours sincerely,

Micheál Martin

Micheál Martin T.D.
Uachtarán Fhianna Fáil

Constituency Office,
137 Evergreen Road,
Turners Cross, Cork.
Tel: 021 4320088
Fax: 021 432 0089

Dáil Éireann,
Leinster House,
Kildare Street,
Dublin 2.
Tel: 01 618 4350

Email: micheal@michealmartin.ie
Web: www.michealmartin.ie
facebook www.facebook.com/michealmartin
twitter www.twitter.com/fiannafailparty

FIANNA FÁIL
THE REPUBLICAN PARTY

MORE CLERICAL ERRORS

The following document, concerns a matter that was brought to the attention of GSOC, that had to do with an offensive leaflet, which I had reported the an Gardai, who subsequently had sent the exhibits to the DPP.

Sometime afterwards I received a phone call, form a community Garda, who arranged to speak to me about the matter at Watercourse Garda station.

When discussing the issue, he said he couldn't find anything wrong with the leaflet, but when I asked to see what information he had in his possession, what he produced was only half the leaflet, which was missing the crucial other half, that I had originally circled for their attention.

On looking into the omission of this exhibit, I did call the DPP, and had requested that they would send me the file on the case, as I was informed via a phone conversation, that they had no knowledge of the missing exhibit in question.

I then reported this matter to GSOC, and who then found in their investigation,…. yes you guessed it, that it was yet another "Clerical Error" on behalf of yet another State body.

Garda
Ombudsman

GSOC REF: 690116-10-19
(Please quote this reference no. when contacting the GSOC)

Mr Emmett Corbett

Cork

03/06/2021

Dear Mr Corbett

An investigation under Section 98 of the Garda Síochána Act 2005 has been conducted in relation to your complaint.

Pursuant to Section 101(7) of the Garda Síochána Act, 2005 the Ombudsman Commission is of the opinion that it discloses no misbehaviour by the members of the Garda Síochána concerned.

The investigation by the Garda Síochána Ombudsman Commission found that all relevant material was provided to the Office of the Director of Public Prosecution by the gardai and it appears that there was a photocopying error on the part of the DPP when providing you a copy of the information they had received.

Accordingly the Garda Síochána Ombudsman Commission shall take no further action in relation to the complaint.

Yours sincerely,

Graham Batey
Senior Investigating Officer

Coimisiún Ombudsman an Gharda Síochána, 150 Sráid na Mainistreach Uachtarach, Baile Átha Cliath 1, D01 FT73
Garda Síochána Ombudsman Commission, 150 Upper Abbey St, Dublin 1, D01 FT73

(01) 871 6727 1890 600 800 (01) 814 7023 info@gsoc.ie www.gardaombudsman.ie

Lynda Mullin,
Director of Public Prosecutions,
Infirmary Road,
Dublin 7.

Emmett Corbett

Cork

Monday the 18TH Day of July 2022

CLERICAL ERROR

Dear Lynda

I am writing to you, concerning the attached copies of the same letter.

The first one is my original letter, which I had wrote to an Gardai on 16-12-17, and the second copy is the letter I had received from your office, which had only half my original letter, spaced out so that it filled the whole page, not only that, but my details are on the other side of the page, and there is spacing between sentences which were not present in my original letter.

If this was a clerical error, then how could this possibly happen by photocopying, or scanning, as it appears to me, that my letter would had to have had to of been systematically edited for it to appear as it did, which omitted some crucial details it my original letter.

Also, there was another an issue with an exhibit, where only half the leaflet was copied, and the second half which contained the offensive text was missing.

Can you please confirm, if this clerical error was by your office, or by an Gardai, as I had submitted the full documentation in my original complaint?

Thanking you,

Emmett Corbett

Emmett Corbett

Statement of Emmet Corbett , Cork, date of birth , phone no . Occupation Painter & Decorator taken on 30/1/1 at Anglesea Street by Mary Skehan Sergeant & Sergeant Shane Ellis. **I hereby declare that this statement is true to the best of my knowledge and belief and that I make it knowing that if it is tendered in evidence I will be liable to prosecution if I state in it anything I know to be false or do not believe to be true"**

I live at the above address. Tonight I have come to the Garda Station to make a complaint. Sergeant Skehan has read over the declaration to me and I understand it. I wish to make a complaint in relation to a man who I know as Zubair who is from India and who can be found on the Grand Parade in Cork city from time to time at a stall displaying various assortment of Islamic Literature. The literature in question I believe attacks our Christian faith, culture and traditions by stating our beliefs are blasphemous to their Islamic beliefs and in doing so Mr Zubir and his fellow adherents are in violations of article 40.6 of the Irish constitution. This male whom I know as Zubir is approximately 5"3. He wears glasses, has black and grey hair. He has a beard but no moustache. He has fluent English but speaks with a foreign accent. I have spoken to him on a number of occasions (2). The first time I spoke with him was 2012 and I spoke with him again approximately on 16/12/17 at Grand Parade where he was at the stall displaying an assortment of Islamic literature. On this date 16/12/17 I asked Zubair about the literature and I was invited to pick up a bunch of leaflets. Today I am handing over a leaflet which I picked up at the stall. In this leaflet I have highlighted by circling a paragraph of the offensive content which I believe to be blasphemous. Our Christian bible which can be found in our courts clearly states in the Book of Genesis chapter 2 verse 2 & 3 that God rested on the seventh day. Also the gospel of Mathew chapter 1 verse 22-23 in reference to the virgin birth that Mary would have a son named Immanuel which translated means God with us. Considering the long held belief and traditions cherished by the Irish People for centuries our celebration of Christmas, the placement of the crib in public and in our homes is truly outrageous that Mr. Zubair and his religion are allowed to publish & distribute such offensive lies contrary to our beliefs by rubbishing our most sacred holiday and the nativity of our saviours by essentially stating that the advent of Christ never happened. This statement has been read over to me and I have make two changes which I have initialled.

Signed Emmet Corbett

Witnessed: Mary Skehan Witnessed: Shane Ellis

What I gave to An Garda Siochana

Emmett Corbett

Cork.

16-12-17

Superintendent John Quilter,

I am writing to you concerning our law being broke by a man from India named Zubir, that can be found on the Grand Parade on Saturdays displaying a varied assortment of literature with reference to teaching from the Qur'an, his religion of Islam, his god named Allah and a "prophet" known as Muhammad.

Seeing as our Holy Book is the Bible, that teaches us about our Most High God (whose name is not Allah) and forgiveness of sins through the Lord Jesus Christ, the bogus literature available for public distribution by Mr Zubir is in direct contradiction with our Christian faith, and in violation of Article 40.6 of the Irish constitution, due to the offensive content of the available materials.
In one of the leaflets titled "Who is Allah" it states the following.
"The concept that God rested on the seventh day of creation that God wrestled with one of His soldiers that God is an incarnate in any human being are considered blasphemy from Islamic point of view."

The above quote is just one example of the many ideologically opposed "points of view" held by Mr Zubir and his fellow Islamic adherents, and any clergyman will tell you that the opposite is true and that this Islamic publication is indeed Blasphemous in relation to the Christian belief system.

Being a Superintendent I'm sure you're no stranger to the Bible due to its presence in Irish courts, and its use for swearing and making oaths, so please read the following verses from the Holy Bible to prove this point.

Genesis 2:2-3New King James Version (NKJV)
2 And on the seventh day God ended His work which He had done, and He rested on the seventh day from all His work which He had done. 3 Then God blessed the seventh day and sanctified it, because in it He rested from all His work which God had created and made.
Matthew 1:22-23

22 So all this was done that it might be fulfilled which was spoken by the Lord through the prophet, saying: 23 "Behold, the virgin shall be with child, and bear a Son, and they shall call His name Immanuel," which is translated, "God with us."

Considering the time of year we are in and the long held belief and tradition cherished by the Irish people for centuries, our celebration of Christmas, the placement of the crib in public and in our homes, it is truly outrageous that Mr Zubir and his religion are allowed to distribute such offensive lies to the contrary, and rubbish our most sacred holiday and the nativity of our Saviour, by essentially stating that the advent of Christ never happened!

Please see enclosed a copy of the offensive leaflet.

It would be great to see this matter dealt with promptly, especially before Christmas as not to offend anymore people who might come in contact with Mr Zubir and his message.
Please keep me updated on your handling of this matter.

Happy Christmas, Emmett Corbett

Emmett Corbett

and the earth?" Say: "(It is) Allah." Say: "Have you then taken (for worship) Auliya' (protectors, etc.) other than Him, such as have no power either for benefit or for harm to themselves?" Say: "Is the blind equal to the one who sees? Or darkness equal to light? Or do they assign to Allah partners who created the like of His creation, so that the creation (which they made and His creation) seemed alike to them." Say: "Allah is the Creator of all things, He is the One, the Irresistible." (Qur'an 13:16)

The Attitude of the Believer

In order to be a Muslim, i.e., to surrender oneself to Allah, it is necessary to believe in the oneness of Allah, in the sense of Him being the only Creator, Preserver, Nourisher, etc. In addition one must acknowledge the fact that Allah alone deserves to be worshipped, and thus abstain from worshipping any other deity or thing or being.

Having achieved this knowledge of the one true God, a person should constantly have faith in Him, and should allow nothing to induce him to deny the truth.

When correct faith enters a person's heart, it causes certain mental state that lead to certain actions. Taken together, these mental states and actions are the proof for the true faith. Foremost among those mental states is the feeling of gratitude towards Allah which could be said to be the essence of *'ebadah'* (worship). The feeling of gratitude is so important that a non-believer is called 'kafir' which means 'one who denies a truth' and also 'one who is ungrateful.'

A believer loves, and is grateful to Allah for the bounties He bestows upon him, but being aware of the fact that his good deeds, whether mental or physical, are far from being proportional to divine favours, he is always anxious lest Allah should punish him, here or in the Hereafter.

He, therefore, fears Him, surrenders himself to Him and serves Him with great humility. One cannot be in such a mental state without being almost all the time mindful of Allah. Remembering Allah is thus the life force of faith, without which it fades and withers away.

The Qur'an promotes this feeling of gratitude by repeating the attributes of Allah (God) very frequently. We find most f these attributes mentioned together in the following verss of the Qur'an:

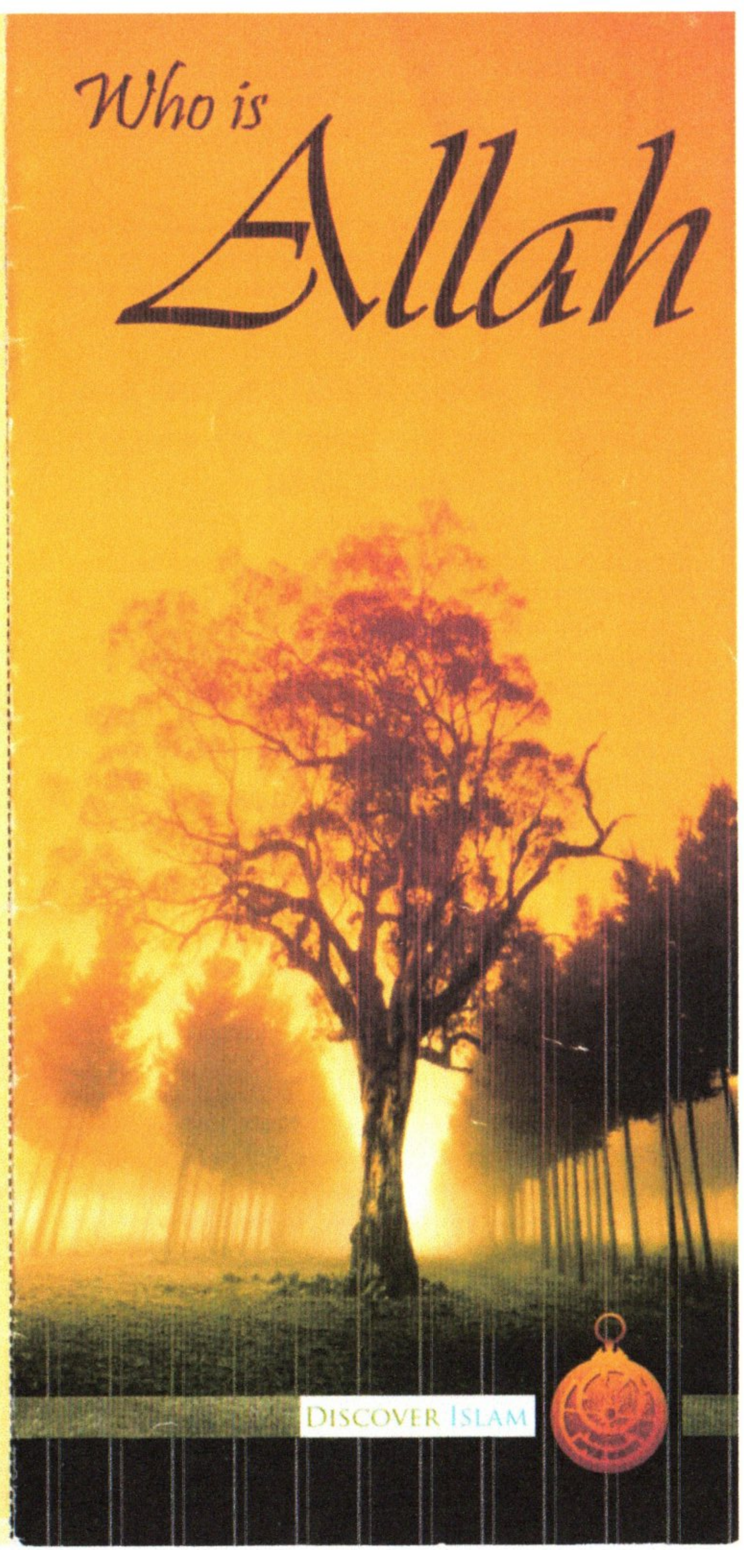
"He is Allah, than Whom there is La ilaha illa Huwa (none has the right to be worshipped but He) the All-Knower of the unseen and the seen. He is the Most Beneficent, the Most Merciful. He is Allah than Whom there is La ilaha illa Huwa (none has the right to be worshipped but He) the King, the Holy, the One Free from all defects, the Giver of security, the Watcher over His creatures, the All-Mighty, the Compeller, the Supreme. Glory be to Allah! (High is He) above all that they associate as partners with Him. He is Allah, the Creator, the Inventor of all things, the Bestower of forms. To Him belong the Best Names. All that is in the heavens and the earth glorify Him. And He is the All-Mighty, the All-Wise. (Qur'an 59:22-24)

"Allah! La ilaha illa Huwa (none has the right to be worshipped but He), the Ever Living, the One Who sustains and protects all that exists. Neither slumber, nor sleep overtake Him. To Him belongs whatever is in the heavens and whatever is on earth. Who is he that can intercede with Him except with His Permission? He knows what happens to them (His creatures) in this world, and what will happen to them in the Hereafter. And they will never encompass anything of His Knowledge except that which He wills. His Kursi extends over the heavens and the earth, and He feels no fatigue in guarding and preserving them. And He is the Most High, the Most Great." [This Verse is called Ayat-ul-Kursî.] (Qur'an 2:255)

"O people of the Scripture (Jews and Christians)! Do not exceed the limits in your religion, nor say of Allâh aught but the truth. The Messiah 'Iesa (Jesus), son of Maryam (Mary), was (no more than) a Messenger of Allâh and His Word, ("Be!" - and he was) which He bestowed on Maryam (Mary) and a spirit (Rûh) created by Him; so believe in Allâh and His Messengers. Say not: "Three (trinity)!" Cease! (it is) better for you. For Allâh is (the only) One Ilâh (God), Glory be to Him (Far Exalted is He) above having a son. To Him belongs all that is in the heavens and all that is in the earth. And Allâh is All¬Sufficient as a Disposer of affairs." (Qur'an 4:171)

DISCOVER ISLAM
163 South Circular Road, Dublin 8
Lo-Call 1890 253 330
Email: info@discoverislam.ie, **Web:** www.discoverislam.ie

Who is Allah



DISCOVER ISLAM

It is a known fact that every language has one or more terms that are used in reference to God and sometimes to lesser deities. This is not the case with the Arabic term Allah.

Allah is the personal name of the one true God. Nothing else can be called Allah. The term has no plural or gender. This shows its uniqueness when compared with the word 'god' which can be made plural, gods, or feminine, goddess.

It is interesting to note that Allah is the proper name of God in Aramaic, the language of Jesus and a sister language of Arabic.

To a Muslim, Allah is the Almighty, Creator and Sustainer of the universe, Who is similar to nothing and nothing is comparable to Him. The prophet Muhammad (peace be upon him) was asked by his contemporaries about Allah the Almighty; the answer came directly from God Himself in the form of a short chapter of the Qur'an, which is considered to be the essence of the unity or the motto of monotheism.

This is chapter 112 which reads:

> *In the name of Allah, the Merciful, the Compassionate.*
> *Say (O Muhammad (peace be upon him): "He is Allâh, (the) One. Allâh-us-Samad (The Self-Sufficient Master, Whom all creatures need, He neither eats nor drinks). He begets not, nor was He begotten; And there is none co-equal or comparable unto Him".* (Qur'an: Chapter 112)

Some non-Muslims allege that God in Islam is a stern and cruel God or that He is not loving and kind. Nothing can be farther from truth than this allegation. It is enough to know that, with the exception of one, each of the 114 chapters of the Qur'an begins with the verse: "In the name of Allah, the Merciful, the Compassionate." In one of the sayings of prophet Muhammad (peace be upon him) we are told that "Allah is more loving and kinder than a mother to her dear child."

But Allah is also Just. Hence evildoers and sinners must have their share of punishment and as for the virtuous, His bounties and favors. Actually, God's attribute of Mercy has full manifestation in His attribute of Justice.

People suffering throughout their lives for His sake and people oppressing and exploiting other people all their lives should not receive similar treatment from their Lord. Expecting similar treatment for them will amount to negating the very belief in the accountability of man in the Hereafter and thereby negating all the incentives for a moral and virtuous life in this world. The following Qur'anic verses are very clear and straightforward in this respect:

> *"Verily, for the righteous are gardens of delight, in the presence of their Lord. So shall We treat the Muslims (believers, righteous) like the criminals? (disbelievers, evil-doers) What is the matter with you? How do you judge?"* (Qur'an 68:34-36)

Islam rejects characterizing God in any human form or depicting Him as favoring certain individuals or nations on the basis of wealth, power or ethnicity. He created the human beings as equals. They may distinguish themselves and get His favor through virtue and piety only.

The concept that God rested on the seventh day of creation, that God wrestled with one of His soldiers, that God is an envious plotter against mankind, or that God is incarnate in any human being are considered blasphemy from the Islamic point of view.

The unique usage of the term Allah as a personal name of God is a reflection of Islam's emphasis on the purity of the belief in God which is the essence of the message of all God's messengers. Because of this, Islam considers associating any deity or personality with God as a deadly sin which God will never forgive, despite the fact He may forgive all other sins.

Note that what is meant above applies ONLY to those people who die in a state wherein they are associating others with God. The repentance of those who yet live is acceptable to God if He wills.

The Creator must be of a different nature from the things created because if He is of the same nature as they are, He will be temporal and will therefore need a maker. It follows that nothing is like Him. If the maker is not temporal, then He must be eternal. But if He is eternal, He cannot be caused, and if nothing outside Him causes Him to continue to exist, which means that He must be self-sufficient. And if He does not depend on anything for the continuance of His own existence, then this existence can have no end. The Creator is therefore eternal and everlasting: "He is the First and the Last."

He is Self-Sufficient or Self-Subsistent or, to use a Qur'anic term, *Al-Qayyuum*. The Creator does not create only in the sense of bringing things into being, He also preserves them and takes them out of existence and is the ultimate cause of whatever happens to them.

> *"Allah is the Creator of everything. He is the guardian over everything. Unto Him belong the keys of the heavens and the earth."* (Qur'an 39:62-63)

> *"And there isn't a creature that crawls on earth, except that upon Allah is its provision. He knows its place of dwelling and place of storage. All is in a clear register."* (Qur'an 11:6)

Attributes of Allah

If the Creator is Eternal and Everlasting, then His attributes must also be eternal and everlasting. If this is so, then His attributes are absolute. Can there be more than one Creator with such absolute attributes? Can there be for example, two absolutely powerful Creators? A moment's thought shows that this is not feasible. The Qur'an summarizes this argument in the following verses:

> *"No son (or offspring or children) did Allâh beget, nor is there any ilâh (god) along with Him; (if there had been many gods), behold, each god would have taken away what he had created, and some would have tried to overcome others! Glorified be Allâh above all that they attribute to Him!"* (Qur'an 23:91)

> *"Had there been therein (in the heavens and the earth) gods besides Allâh, then verily both would have been ruined. Glorified be Allâh, the Lord of the Throne, (High is He) above what they attribute to Him!"* (Qur'an 21:22)

The Oneness of Allah

The Qur'an reminds us of the falsity of all alleged gods. To the worshippers of man-made objects, it asks:

> *"Do you worship what you have carved yourself?"* (Qur'an 37:95)

> *Say (O Muhammad): "Who is the Lord of the heavens*

What The Director of Public Prosecutions had on file

COPY

Emmett Corbett

[redacted]

Cork.

16-12-17

Superintendent John Quilter,

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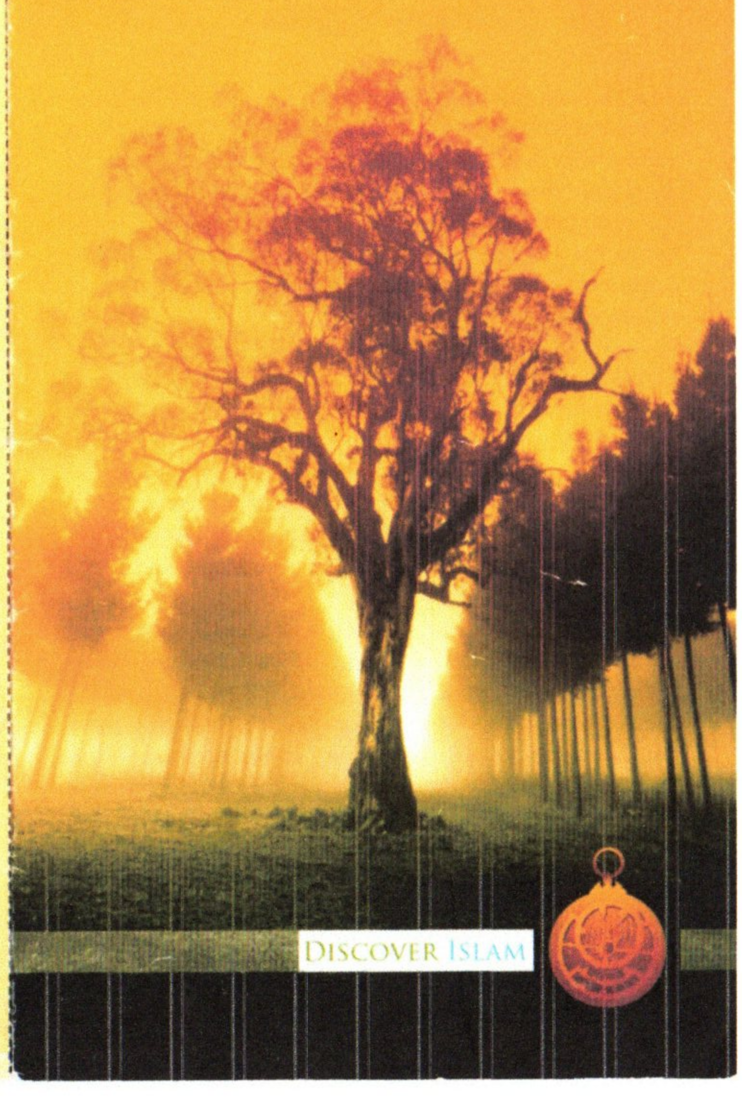
Email: info@discoverislam.ie, **Web:** www.discoverislam.ie

Who is Allah



DISCOVER ISLAM

An Garda Siochana

Cherry picking what laws to enforce

Emmett Corbett

Cork

8TH Day of December 2021

Publication of Blasphemous and Insulting Material

To Detective Keith Mills,

I would report a matter involving a Waterford Whispers News sketch broadcast by RTÉ on New Year's Eve last, which makes a mockery of matters held sacred, by substantial number of the population.

Especially as we are coming up to Christmas, and the celebration of the Naivety, it is important that we do not have a repeat of last year.

The matter was a sketch, which took the form of a fake bulletin presented by former newsreader Aengus Mac Grianna, which featured God being arrested.

"In another shocking revelation this year," Mac Grianna told viewers, "God became the latest figure to be implicated in ongoing sexual harassment scandals. The five-billion-year-old stood accused of forcing himself on a young middle-eastern migrant and allegedly impregnating her against her will. He was sentenced to two years in prison with the last 24 months suspended."

This matter was and is highly offense, and of course a criminal matter, as it is contrary to, Defamation Act 2009, and Criminal Justice Act 1994

Publication or utterance of blasphemous matter.

36.— (1) A person who publishes or utters blasphemous matter shall be guilty of an offence and shall be liable upon conviction on indictment to a fine not exceeding €25,000.

(2) For the purposes of this section, a person publishes or utters blasphemous matter if—

(*a*) he or she publishes or utters matter that is grossly abusive or insulting in relation to matters held sacred by any religion, thereby causing outrage among a substantial number of the adherents of that religion, and

(*b*) he or she intends, by the publication or utterance of the matter concerned, to cause such outrage.

(3) It shall be a defence to proceedings for an offence under this section for the defendant to prove that a reasonable person would find

genuine literary, artistic, political, scientific, or academic value in the matter to which the offence relates.

(4) In this section " religion " does not include an organisation or cult—

(*a*) the principal object of which is the making of profit, or

(*b*) that employs oppressive psychological manipulation—

(i) of its followers, or

(ii) for the purpose of gaining new followers.

Criminal Justice (Public Order) Act, 1994

Distribution or display in public place of material which is threatening, abusive, insulting or obscene.

7.(1) It shall be an offence for any person in a public place to distribute or display any writing, sign or visible representation which is threatening, abusive, insulting or obscene with intent to provoke a breach of the peace or being reckless as to whether a breach of the peace may be occasioned.

(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding £500 or to imprisonment for a term not exceeding 3 months or to both.

It is understood that more than 4,750 complaints were lodged with the broadcaster over the piece, which was created by Waterford Whispers News website run by Colm Williamson, who is based in Tramore, County Waterford.

I believe it to be in the public interest and the duty of An Gardai, to protect citizens of the Christian faith from such vile offences, and to ensure that the law will be enforced on this matter, ensuring that such hateful publications don't happen again.

Also, I would like to add, that such actions were and are unconstitutional, as the Preamble of the Irish Constitution, clearly states that our Constitution can only be interpreted through the lens of Christianity, which states.

In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred,
We, the people of Éire,
Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ, Who sustained our fathers through centuries of trial,
Gratefully remembering their heroic and unremitting struggle to regain the rightful independence of our Nation,
And seeking to promote the common good, with due observance of Prudence, Justice and Charity, so that the dignity and freedom of the individual may be assured, true social order attained, the unity of our country restored, and concord established with other nations,
Do hereby adopt, enact, and give to ourselves this Constitution.

Considering the above facts, and of course your solemn oath to uphold the Constitution, I am sure such an honourable Guardian such as yourself, will be only too eager to make arrest and convict such a contemptable gutless crime, while setting an example that our law is not a for Hypocrites.

Also, I refer to the Garda Attestation Oath. 2005 NO 20 GARDA SIOCHANA ACT

Garda Siochana Oath: "ATTESTATION OATH"
I HEREBY SOLEMNLY AND SINCERELY DECLARE BEFORE GOD THAT_I WILL FAITHFULLY DISCHARGE THE DUTIES OF A MEMBER OF THE GARDA SIOCHANA WITH FAIRNESS, INTEGRITY, REGARD FOR HUMAN RIGHTS, DILIGENCE AND IMPARTIALITY, UPHOLDING THE CONSTITUTION AND THE LAW AND ACCORDING EQUAL RESPECT TO ALL PEOPLE.

Also, can you please check if the above offence falls in to hate crime, as I am unsure on the current legislation.

Regards, Emmett Corbett

GSOC
Garda
Ombudsman

GSOC REF: 300276-01-22
(Please quote this reference no. when contacting the GSOC)

Mr Emmett Corbett

Cork

14 February 2022

Dear Mr Corbett

I am directed by the Garda Síochána Ombudsman Commission ("GSOC") to advise you that your complaint, which was received on 28 January 2022, is inadmissible on the grounds that the behaviour alleged is not of such a nature that it would, if proved, amount to a breach of Garda discipline as provided for in Schedule 5 of the Garda Síochána Act, 2005 as amended ("the Act").

The Blasphemy (Abolition of Offences and Related Matters) Act 2019 repealed sections 36 and 37 of the Defamation Act 2009 and stated that "Any rule of law by virtue of which- (a) blasphemy, or (b) blasphemous libel, is an offence is abolished." Also, the Thirty-seventh Amendment of the Constitution in 2018 removed the constitution's requirement to criminalise "publication or utterance of blasphemous matter". You may wish to contact the Broadcasting Authority of Ireland in relation to the matter.

The Garda Commissioner and the member concerned will be notified of this decision. In accordance with section 88 (1) (C) of the Act, GSOC will take no further action in relation to this complaint.

Inadmissible complaints are not reviewed by the Ombudsman Commission unless new information, which was not previously available, comes to light and is submitted in writing.

Yours sincerely

pp Noelle O Connor

Signed by James Morton
Case Manager
on behalf of the Garda Síochána Ombudsman Commission

Coimisiún Ombudsman an Gharda Síochána, 150 Sráid na Mainistreach Uachtarach, Baile Átha Cliath 1, D01 FT73
Garda Síochána Ombudsman Commission, 150 Upper Abbey St, Dublin 1, D01 FT73

☎ (01) 871 6727 ☎ 1890 600 800 (01) 814 7023 ✉ info@gsoc.ie www.gardaombudsman.ie

Emmett Corbett

Cork city.

13/10/19

To Superintendent John Quilter

I have been advised by the Garda Press Office to write to the superintendent in Cork city, concerning my objection to non-Christian religious garb being incorporated into the Garda uniform.

My objection is this, how can an individual sincerely take the Garda oath of Attestation which requires upholding the Irish Constitution, without acknowledging that the Irish people have given ourselves the very same Constitution in the name of the Most Holy Trinity, and acknowledges all our obligations to our Divine Lord, Jesus Christ?

Surely we are to be unconvinced of anyone that regards the content our Constitution with such indifference, when they seek to undermine and change the long established values bestowed unto us since the foundation of the State, and how are we to take their word serious when they are unable to grasp such basic fundamentals of Laws, unless they are willing to acknowledge the Most Holy Trinity and the divinity of The Lord Jesus Christ?

I refer to the Preamble of the Irish Constitution

In the Name of the Most Holy Trinity, from Whom is all authority and to Whom, as our final end, all actions both of men and States must be referred,
We, the people of Éire,
Humbly acknowledging all our obligations to our Divine Lord, Jesus Christ, Who sustained our fathers through centuries of trial,
Gratefully remembering their heroic and unremitting struggle to regain the rightful independence of our Nation,
And seeking to promote the common good, with due observance of Prudence, Justice and Charity, so that the dignity and freedom of the individual may be assured, true social order attained, the unity of our country restored, and concord established with other nations,
Do hereby adopt, enact, and give to ourselves this Constitution.

Also I refer to the Garda Attestation Oath. 2005 NO 20 GARDA SIOCHANA ACT
Garda Siochana Oath: "ATTESTATION OATH"
I HEREBY SOLEMNLY AND SINCERELY DECLARE BEFORE GOD THAT_I WILL FAITHFULLY DISCHARGE THE DUTIES OF A MEMBER OF THE GARDA SIOCHANA WITH FAIRNESS, INTEGRITY, REGARD FOR HUMAN RIGHTS, DILIGENCE AND IMPARTIALITY, UPHOLDING THE CONSTITUTION AND THE LAW AND ACCORDING EQUAL RESPECT TO ALL PEOPLE.

Sincerly, Emmett Corbett

An Garda Síochána

Stiúrthóir Feidhmiúcháin,
Acmhainní Daonna agus Forbairt Daoine,
Ceanncheathrú an Gharda Síochána,
Páirc an Fhionnuisce,
Baile Átha Cliath 8.
D08 HN3X.

Teileafón/Tel: 01 6662347
Facs/Fax: 01 6662338

***Bí linn**/Join us*

Executive Director,
Human Resources and People Development,
Garda Headquarters,
Phoenix Park,
Dublin 8.
D08 HN3X.

Láithreán Gréasain/Web Site: www.garda.ie
Ríomh-phoist:/Email:
hrpd.executivedirector@garda.ie

HR&PD_HRM-570238/19 (HRM/183)

Mr. Emmett Corbett

Cork City

Re: Garda Uniform

Dear Mr. Corbett,

While I appreciate your concern regarding the Garda uniform, I would like to take this opportunity to inform you that it is the preserve of An Garda Síochána, under the direction of the Commissioner, which makes the final decision on such matters.

Yours sincerely,

ALAN MULLIGAN
ACTING EXECUTIVE DIRECTOR
LM

28 **July 2020**

Exhausting the "Democratic "Process And the Futility of *Jumping Through the Hoops*

1. A response from Minister for justice Helen McEntee, who failed to see any wrong in my H-File, stating I should contact An Garda Siochana, GSOC, and relevant semi-state bodies, even though I have provided evidence that they fail to preform their duties and cannot be trusted.
2. A letter to Standards in Public Office Commission.
3. A letter with Standards in Public Office Commission decision, who found everything was up to standard.
4. A decision from the Ombudsman, dated 18th of January 2023.
5. A response from the Ombudsman, dated 14th of February 2023.
6. A response from Helen Kealy of Director of Public Productions, who maintains that spaced out paragraphs on letters, can happen through photocopying.
7. A letter to Michael Martin, concerning being locked out of housing.
8. A response from Cork city council, with another refusal for housing.
9. A response from Michael Martin, who passed the matter on to the Housing Minister.
10. A response from the Housing department, who informed me I can apply for the housing scheme I was already refused for.
11. A decision from the Irish Human Rights and Equality Commission, who saw nothing wrong with my false imprisonment and tampering of official court documents, or any matter contained in my H-File.
12. A letter from the Irish Prison Services, who admit that they cannot account for my whereabouts when in their custody, because if they did, they would have to acknowledge that I was initially in Cork prison, and that the court order was indeed tampered with, so they could send me up to Limerick prison, being falsely registered as having violent offences.

Oifig an Taoisigh
Office of the Taoiseach

Taoiseach Micheal Martin
mmartin.constituency@Taoiseach.Gov.IE

16th September 2022

Minister's Reference: DJE-MO-08300-2022

Dear Taoiseach,

I refer to your correspondence in relation to various issues on behalf of your constituent, Mr. Corbett.

I am sorry to hear about the ongoing distress that your constituent is experiencing as a result of the multiple concerns he has raised in his correspondence.

I note that Mr. Corbett is concerned about his own personal safety and also note his allegations relating to Garda corruption. I would encourage Mr. Corbett to contact An Garda Síochána if he feels that a criminal act occurred or there is a danger of a criminal act occurring. He should provide full information to his local Garda station without delay. Mr. Corbett can also make a report through the Garda Confidential Line on 1800 666 111. I would like to assure you that members of An Garda Síochána are best placed to advise you on how to proceed in this situation.

I hope you will appreciate that, under Irish law, criminal investigations can only be carried out by An Garda Síochána, which then submits a report to the Director of Public Prosecutions (DPP). The DPP decides whether or not someone should be prosecuted, and what crime they should be prosecuted for. The DPP is independent of me as Minister and the Department of Justice. I am not able to intervene in this independent process.

If Mr. Corbett is not satisfied with how his concerns were dealt with by An Garda Síochána, it is open to him to contact the Garda Síochána Ombudsman Commission (GSOC), the independent body responsible for receiving complaints from the public concerning members of An Garda Síochána. I note Mr. Corbett has engaged with GSOC in relation to his concerns and that his complaint was deemed inadmissible.

Neither I nor my Department have any role in overseeing GSOC or in reviewing complaints against GSOC. I cannot act as an escalation point for complaints about GSOC. GSOC is the sole body in the State responsible for investigation the type of concerns that Mr. Corbett has raised.

Arna phriontáil ar pháipéar athch
Printed on recycled paper

However, it may be helpful to know that the Customer Service page on the GSOC website provides detail on the code of practice governing the behaviour of GSOC staff. It also outlines how to make a complaint about GSOC members of staff, if Mr. Corbett considers this relevant to his case. The Customer Service page can be found at the following link: https://www.gardaombudsman.ie/about-gsoc/customer-service/

As you can appreciate, under the Constitution and the law, the Courts are independent in their functions. I note that Mr. Corbett is seeking contact information for the Courts Service pertaining to his application for records relating to his conviction.

The Courts Service can be contacted directly at:

The Courts Service,
Phoenix House,
15/24 Phoenix Street North,
Smithfield,
Dublin 7.

Phone: +353 1 888 6426

Email: officeoftheceo@courts.ie

Website: www.courts.ie

With regard to the matter Mr. Corbett raised relating to PIAB and subsequent interactions with the LSRA and the Office of the Ombudsman, this Department would encourage Mr. Corbett to continue to engage with these bodies in order to seek any outstanding clarifications he may require in relation to the concerns he has brought to the attention of these bodies.

I note the section in the detailed file of documents Mr. Corbett provided relating to housing and his application for social housing. As you will appreciate, social housing does not fall within the remit of my Department and I would urge Mr. Corbett to contact his local authority if he has any remaining concerns in this regard.

Finally, it is open to Mr. Corbett to seek independent legal advice in relation to any of his concerns.
I hope that these clarifications are of assistance to you and to Mr. Corbett.

Yours sincerely,

Helen McEntee T.D.
Minister for Justice

Arna phriontáil ar pháipéar athc
Printed on recycled paper

Standards in Public Office Commission
6 Earlsfort Terrace,
Dublin 2,
D02W773

Emmett Corbett

Cork

Friday the 13TH Day of January 2023

H-FILE

Dear Claire Walsh,

I am writing to you concerning additional information to my H-File, the contents of which, were brought to the attention of Minister of Justice Helen McEntee, Housing Minister Darragh O Brien and Taoiseach Micheal Martin. However, none of these matters were reported or investigated for criminality or corruption.

That being:

1. A clerical error, where my gender was allegedly entered incorrectly as female, which resulted in five days in prison, for a €100. Also, I was misleadingly registered as having "violent offences special feature". As there is no possible way for me to find out how this was to happen, I brought it to the attention of the **Minister of Justice Helen McEntee,** but the matter was overlooked, please see attached letter. Supporting documentation on this can be found on page 10-19 in my H-File.

2. Being arrested by armed **ERU Garda, Collin Dowling and Keith Mills,** then searched for offences against the State, 5 months after I had written to a chief Superintendent concerning a constitutional matter.

3. Being wrongly convicted for threatening and abusive behaviour, in the Cork District court, and then having the allegation upgraded to assault in the Appeals court, due to false testimony given by **Garda, Collin Dowling and Keith Mills**. Then having been associated with subversive activities, and assaulting Gardai in the newspaper, which has impacted greatly on my quality of life, too date. I brought this serious matter to the attention of the **Minister of Justice Helen McEntee,** but the matter was overlooked.

4. Being refused a DAR application by **Cork Circuit court judge Kelleher**, when I attempted to clear my name, by proving perjury committed by a Garda.

5. Having my GSOC case deemed inadmissible, by **GSOC Graham Batey** on the grounds that all statements provided by Gardai were consistent, when I have presented documentation to the contrary. Supporting documentation on this can be found on page in 23-57 in my H-File. I brought this serious matter to the attention of the **Minister of Justice Helen McEntee,** but the matter was overlooked.

6. Being imprisoned against my will by door staff, at a Cork city premisses for Gardai and subsequently informed by an Gardai, there was nothing they could do about it. This was brought to the attention of **Garda David O Donovan**, who had arrested me and held me in a cell. I brought this serious matter to the attention of the **Minister of Justice Helen McEntee,** but the matter was overlooked.

7. Being subject to an attempted conviction for parking offences, when I wasn't even in the area, in where **Garda Liam P O'Connor** stepped off the stand with leave to re-enter, when I appeared in court. The courts orders for this say I pleaded guilty, but my Garda file say it was struck out with leave to re-enter, as I have no way of finding out who tampered with the court orders. I brought the matter to the attention of the **Minister of Justice Helen McEntee,** but the fraud was overlooked, please see attached letter, and page 66-69 of my H-File.

8. Having a genuine compensation case for a work accident, knowingly diminished by Solicitor **William Harvey** against my instructions, by omitting documentation from a medical report, and then furnishing PIAB with incomplete documentation, which resulted in an inadequate award in compensation. Consequently, I received the threat of being brought before the District court, by the said Solicitor, due to the inexplicable determination given by the LRSA.
please see page 70-113 of my H-File.

9. Receiving a determination from the **William F Slattery of the LRSA**, to my complaint which said the matter was frivolous or vexatious, when they were presented with many facts to the contrary, and failed to address problems, brought to attention, please see page 70-113 of H-File.

10. Being refused a place on the housing list by **Cork city council, Kathryn Collins, and Lisa Horgan** for allegedly earning too much money, when I had provided Revenue statements to the contrary. Then ignored by Cork city council, who never addressed my missing Revenue statement, when I had I highlighted their error, which has kept me living away for my wife and daughter to date, please see 114-129 of H-File.

11. Having my letter on 17th of December 2020 and on 10th of May 2021 which gave me the option to appeal **Paul Moynihan,Cork city council** decision, conveniently sent to the wrong address, of [redacted], when all along they were corresponding with me they sent it to the correct address of [redacted], due to a clerical error. Consequently, I could have missed out on the 6-month timeframe to contest their decision. This was brought to the attention of **Paul Moynihan and Noreen Mulcahy,** on page 139-140 of my H-File, who failed to address concerns raised.

12. Receiving a letter on 31st of March 2022 from the **Housing Minister Darragh O Brien,** concerning the same H-file I had sent you, mailed to the wrong address, of [redacted], even after I clearly highlighted such issues with them, which evidently demonstrates their total lack of interest in the dirty tricks employed by Cork city housing authority. (please see attached letter) page 137-138

13. Having central evidence which I had provided to an Garda Siochana as an exhibit go missing, which was subsequently investigated by **Graham Batey GSOC**, who found that it was a photo copying error. But when I wrote to **Lynda Mullin of the Department of Public Prosecutions,** as can be seen on page 147 of H-File, in July 2022, I received a reply in September 2022 from Helen Kealy, which failed to address my query on how the text on my letter was spaced out on the other side of the page, due to a photo copying error. I brought this serious matter to the attention of the **Minister of Justice Helen McEntee,** but the matter was overlooked.

14. Having reported an offence to **Garda Keith Mills**, which he failed to respond to the matter, or address my concerns of a hate crime, and then having the same matter overlooked by **James Morton of GSOC**, who failed to acknowledge the Criminal Justice Act 1994. Please see 158-161 I brought this serious matter to the attention of the **Minister of Justice Helen McEntee,** but the matter was overlooked.

15. Bring the above matter to the attention of the Irish Human Rights and Equality Commission, and receiving a letter from **Michael O Neill**, who failed to address my false imprisonment, and being wrongly registered as having violent offences, as can be seen on page 10-19, also in 23-57 which clearly shows Garda harassment, who gave inconsistent evidence against me.

Sincerely,

Emmett Corbett

Coimisiún um Chaighdeáin in Oifigí Poiblí
Standards in Public Office Commission

12 July 2023

Mr. Emmett Corbett

Cork

Dear Mr. Corbett,

Further to our conversation yesterday, please find enclosed a copy of the decision letter regarding your complaint dated 06 July 2023 and the relevant extracts of the legislation referenced in the letter.

The Commission is made up of six members listed below.

Garrett Sheehan – Chairperson
Seamus McCarthy – Comptroller and Auditor General
Ger Deering – Ombudsman
Peter Finnegan – Clerk of Dáil Éireann
Martin Groves – Clerk of Seanad Éireann
Geraldine Feeney – Ordinary Member

Yours Sincerely,

Claire Walsh

Claire Walsh
Complaints and Investigations Unit
Standards in Public Office Commission

Coimisiún um Chaighdeáin in Oifigí Poiblí
Standards in Public Office Commission

06 July 2023

Mr. Emmett Corbett

Cork

Dear Mr. Corbett,

I refer to your correspondence dated 13 January 2023 regarding your complaint to the Standards in Public Office Commission concerning a number of named individuals in relation to the matters presented in your document the 'H-File'.

The Commission considered the complaint at its most recent meeting in line with its complaints procedure under the Ethics Acts. The Commission has decided to close the complaint under the following grounds:

a) To decline to investigate the complaints against Ministers Helen McEntee and Darragh O'Brien under section 4(5) of the 2001 Act, on the grounds that, in the opinion of the Commission, the matters raised are not of sufficient gravity to warrant investigation by the Commission.

b) To decline to investigate the complaints against members of An Garda Síochána under section 23(1B) of the 1995 Act on the grounds that the matters brought before the Commission have already been examined by the appropriate authorities, and therefore are plainly misconceived on the basis that no further action by the Commission could be successful.

c) To decline to investigate the complaints against members and employees of Cork City Council, GSOC, IHREC and LSRA under section 4(5) of the 2001 Act, on the grounds that, in the opinion of the Commission, the matters raised concerning the manner in which his housing application and complaints have been dealt with, are not of sufficient gravity to warrant investigation by the Commission.

As per the Commission's complaints procedure, there is no appeal mechanism during any stage of the complaints process.

Accordingly, the matter is now closed no further action will be taken.

Yours Sincerely,

Claire Walsh

Claire Walsh
Complaints and Investigations Unit

Ombudsman

Our Reference: OMB-132818-L0Z0H0

18 January 2023

Mr. Emmett Corbett

Please note that this decision was made on the advice of Sector Lead Barry Quirke

Cork,

Dear Mr. Corbett,

I refer to the complaint you submitted to the Ombudsman concerning the Legal Services Regulatory Authority (LSRA).

I would like to clarify the position of this Office in relation to complaints about LSRA admissibility decisions. The role of the Ombudsman in these cases is to consider whether a complaint has been dealt with in accordance with the procedures set out in the Legal Services Regulation Act 2015. The Ombudsman cannot examine the actions of the legal practitioner but can simply review the administrative actions of the LSRA in dealing with your complaint. This is not an appeal of the LSRA admissibility decision.

The procedures for the LSRA preliminary examination are set out in section 57 of the Legal Services Regulation Act 2015. Essentially they are as follows;

1. The first step in the procedure is that the LSRA needs to be satisfied that the complaint is related to one of inadequate service, excessive costs or misconduct.

2. Once the LSRA is satisfied that this is the case it must contact the legal practitioner asking them to set out their response to the complaint.

3. When the LSRA receives a response from the legal practitioner it can, if it deems it necessary, contact either or both of the legal practitioner or the complainant to seek further information.

4. When the LSRA feels that it has sufficient information to conclude the preliminary examination, it must decide if the complaint is admissible or not.

In your letter to the LSRA which you confirmed you are relying on as also being the complaint to this Office, you state "I believe that important issues were overlooked by Mr Slattery". This would be seeking an appeal to the decision made which as explained above is not within the role of the Ombudsman.

In the same letter you mention "my complaint was not a matter of cost, but rather what I was paying the costs for". This would appear to me as an inadequate services complaint. In the LSRA's determination they state "the complainant alleges that the legal services provided to him by the legal practitioner were of an inadequate standard". Based on this response it is clear to me the LSRA understood the type of complaint that was being made.

From reviewing the details of the correspondence provided, I cannot see a complaint or indication that the LSRA did not follow its procedures in conducting a preliminary review of your complaint. However, if you have any issues with regard to the LSRA's administrative actions that have not been raised to this Office, I would welcome you to forward this information.

In the meantime, I regret to inform you I cannot uphold your complaint.

As such, I will now be closing this case.

Yours sincerely,

Dylan McDonnell
Caseworker

Ombudsman

Our Reference: OMB-132818-L0Z0H0

14 February 2023

Mr. Emmett Corbett

Cork

Dear Mr. Corbett,

I am writing to you in connection with your complaint to the Ombudsman concerning the Legal Services Regulatory Authority (LSRA).

I have prepared a response in writing to our telephone conversation last week as requested.

As previously explained, the role of the Ombudsman in these cases is to consider whether a complaint has been dealt with in accordance with the procedures set out in the Legal Services Regulation Act 2015. The Ombudsman cannot examine the actions of the legal practitioner but can simply review the administrative actions of the LSRA in dealing with your complaint. This is not an appeal of the LSRA admissibility decision.

The procedures for the LSRA preliminary examination are set out in section 57 of the Legal Services Regulation Act 2015. Essentially they are as follows;

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2. Once the LSRA is satisfied that this is the case it must contact the legal practitioner asking them to set out their response to the complaint.

3. When the LSRA receives a response from the legal practitioner it can, if it deems it necessary, contact either or both of the legal practitioner or the complainant to seek further information.

4. When the LSRA feels that it has sufficient information to conclude the preliminary examination, it must decide if the complaint is admissible or not.

In these cases the Ombudsman can examine if the LSRA understood the complaint, had access to all relevant documentation, followed the steps above and addressed the substance of the complaint in its closing letter. The Ombudsman cannot form an opinion on whether or not the actions of the legal practitioner constituted inadequate professional services or misconduct as only the LSRA can do that.

In your complaint to this Office, you believe that the LSRA failed to address one of the eight points made in your response to the solicitor's submission. This was in relation to a photograph submitted to the PIAB.

On the LSRA's determination of your complaint, they acknowledge eight issues were raised and that the practitioner responded to each of the matters. This Office would not find it reasonable to ask the LSRA to go through every element of both parties' submissions and provide responses or comments on each of those elements in their closing letter.

I am sorry to say that I do not see a basis on which the Ombudsman could pursue this matter any further. I know you do not agree with the conclusion of the LSRA but as explained above we can simply examine the process followed by the LSRA. In this case there has been no issues identified with how the LSRA followed its procedures.

As such, this case will remain closed.

Yours sincerely,

Dylan McDonnell
Caseworker

Oifig an **Stiúrthóra Ionchúiseamh Poiblí**
Office of the **Director of Public Prosecutions**

DPP Case No: 2018/14172

20 September 2022

Strictly Personal and Confidential

Mr Emmett Corbett

Co. Cork

Dear Mr Corbett

I refer to your letter dated 18 July 2022 addressed to Lynda Mullen which was passed to me.

I have reviewed our file and I can confirm that the file we received from the Gardaí also contained what you refer to as your 'original letter' as well as the letter you refer to as your letter that you received from our office, though it also had a second page containing the text of the remainder of your letter. I am enclosing a copy of both for your ease of reference.

I can also confirm that the second half of the leaflet was forwarded later and considered as part of our assessment of the case.

Yours sincerely

Helen Kealy

Helen Kealy
Senior Principal Prosecutor
Victims Liaison Unit

Oifig an Stiúrthóra Ionchúiseamh Poiblí, Bóthar na hOtharlainne, Baile Átha Cliath 7
Office of the Director of Public Prosecutions, Infirmary Road, Dublin 7
☎ +353 (0)1 8588500 +353 (0)1 642 7406 www.dppireland.ie

Emmett Corbett

Cork

Wednesday the 28rd Day of February 2023

What Do I Do Now

Micheal Martin,

I have written to you in the past, highlighting my difficulties concerning housing, and being unable to get on the Cork city housing list, for being over the threshold (it was claimed I was earning too much money to qualify)

After being refused social housing, or any rent subsidy (help) by Cork city hall, I then applied for an "affordable" house but my application did not qualify, on the grounds I didn't have enough money.
I got a mortgage approved for €168,329 and have a respectable deposit, but the affordable house was €282,000.

Where am I supposed to live, as I have yet to live as a family with my wife and kids, my wife lives in a relative's house, where her and our two babies sleep in the same small room, Most, if not all of the housing, are being bought up by Cork city council, with 25 year leases, and they allocate them to whoever the like.

How do you expect me to compete with this, I would welcome any realistic feedback?

Please don't tell me to reapply to Cork city housing, as I have already presented them with documentation in the past, which they ignored, concerning my actual proof of income (which was actually under the threshold)

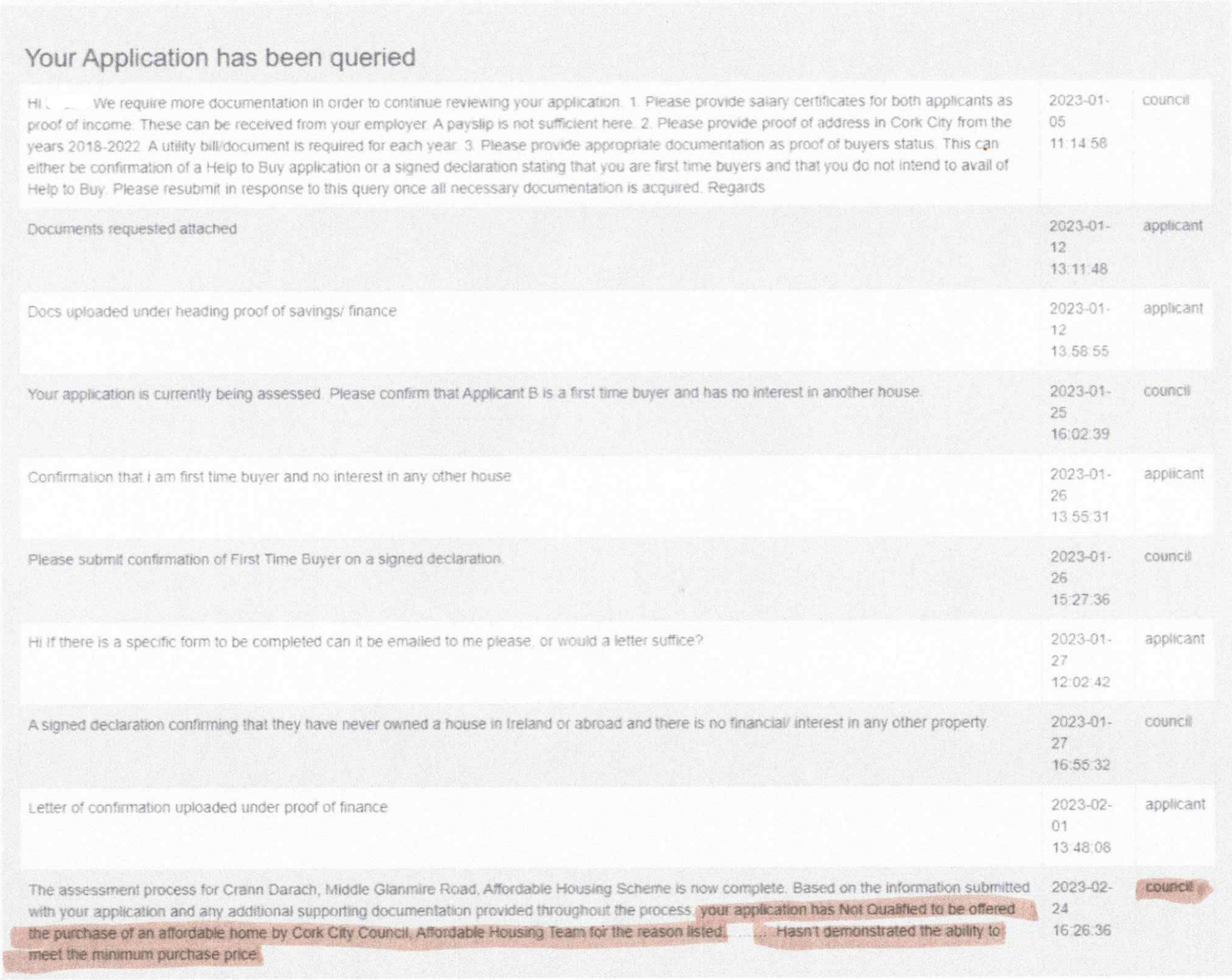
Would there be any chance our little family, who are generational tax contributors, with heritage ties to the city of Cork, avail of a percentage of a fraction of a percent, out of all the millions and millions the government have allocated toward housing.

In fact, I would actually work for the house, and fix it all up myself, but the thing is I can even get a fixer-upper to fixer-up, even though I drive past boarded up housing every day, it is the council that hold all the cards, and alas, I am but a lowly native, who is owed no favours.

Please see attached documents.

Earnestly awaiting your response,

Emmett Corbett



Your Application has been queried

Hi [redacted] We require more documentation in order to continue reviewing your application. 1. Please provide salary certificates for both applicants as proof of income. These can be received from your employer. A payslip is not sufficient here. 2. Please provide proof of address in Cork City from the years 2018-2022. A utility bill/document is required for each year. 3. Please provide appropriate documentation as proof of buyers status. This can either be confirmation of a Help to Buy application or a signed declaration stating that you are first time buyers and that you do not intend to avail of Help to Buy. Please resubmit in response to this query once all necessary documentation is acquired. Regards	2023-01-05 11:14:58	council
Documents requested attached	2023-01-12 13:11:48	applicant
Docs uploaded under heading proof of savings/ finance	2023-01-12 13:58:55	applicant
Your application is currently being assessed. Please confirm that Applicant B is a first time buyer and has no interest in another house.	2023-01-25 16:02:39	council
Confirmation that i am first time buyer and no interest in any other house	2023-01-26 13:55:31	applicant
Please submit confirmation of First Time Buyer on a signed declaration.	2023-01-26 15:27:36	council
Hi If there is a specific form to be completed can it be emailed to me please, or would a letter suffice?	2023-01-27 12:02:42	applicant
A signed declaration confirming that they have never owned a house in Ireland or abroad and there is no financial/ interest in any other property.	2023-01-27 16:55:32	council
Letter of confirmation uploaded under proof of finance	2023-02-01 13:48:08	applicant
The assessment process for Crann Darach, Middle Glanmire Road, Affordable Housing Scheme is now complete. Based on the information submitted with your application and any additional supporting documentation provided throughout the process, your application has Not Qualified to be offered the purchase of an affordable home by Cork City Council, Affordable Housing Team for the reason listed. [redacted] ... Hasn't demonstrated the ability to meet the minimum purchase price.	2023-02-24 16:26:36	council

Oifig an Tánaiste agus Aire Gnóthaí Eachtracha
Office of the Tánaiste and Minister for Foreign Affairs

Mr Emmett Corbett

Cork

8 March 2023

Reference No: DFA-TMO-01053-2023

Dear Mr Corbett,

On behalf of the Tánaiste and Minister for Foreign Affairs, Mr Micheál Martin TD, I wish to thank you for your letter of 28 February 2023.

As this is a matter for the office of the Minister for Housing, I have taken this opportunity to refer your correspondence to that office for appropriate attention.

Yours sincerely,

Ciarán Doyle

Ciarán Doyle
Private Secretary to the Tánaiste and
Minister for Foreign Affairs

An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreachta
Department of Housing,
Local Government and Heritage

28 March 2023.

Mr. Emmett Corbett

Co. Cork
Ref: HPLG-MOBO-00833-2023

Dear Mr. Corbett

Thank you for your email on 28 February to Tánaiste and Minister for Foreign Affairs, Mr Micheál Martin TD which was forwarded for direct reply on 08 March to Mr. Darragh O'Brien, T.D., Minister for Housing, Local Government and Heritage, concerning supports for individuals to purchase a home.

As detailed in the Housing for All strategy, the Government has introduced a number of measures to support households and individuals wishing to purchase their first home, or affordably and securely rent a home, as well as increasing the overall supply of homes, with an ambitious target of 300,000 new homes up to 2031.
Specifically in relation to affordable homes for those with incomes too high to qualify for social housing, the Housing for All strategy commits to delivering 36,000 Affordable Purchase homes and 18,000 Cost Rental homes by 2030. Full details of the strategy can be found at the following link:
https://www.gov.ie/en/publication/ef5ec-housing-for-all-a-new-housing-plan-for-ireland/

Under pathway 1 of this strategy, "Pathways to Home Ownership and Increasing Affordability", two new Affordable Purchase schemes have been established (the Local Authority Affordable Purchase Scheme and the First Home shared equity scheme), as well as a new Cost Rental tenancy and an improved Local Authority Home Loan scheme.

Both Affordable Purchase schemes will support households that, because of current income levels, are unable to secure a sufficient mortgage to meet the costs of purchasing a newly constructed home. More specifically, the Local Authority Affordable Purchase Scheme assists first-time buyers, and eligible Fresh Start applicants, in purchasing Local Authority-delivered new homes by bridging the gap between the market value of the home and the combined value of the buyer's mortgage and deposit. Affordable

Purchase homes will be advertised on the relevant Local Authority's website in advance of their sale, as well as eligibility requirements such as household income limits.
In Cork City, recent examples of Affordable Purchase delivery under this scheme include:

- Newton Heights, Boherboy, with initial prices from €218,000 for a 2-bedroom and €243,000 for a 3-bedroom dwelling.
- Cluain Chaoin, Tower, with 2, 3 and 4-bedroom homes with initial prices from €241,000 to €305,000.
- Crann Darrach, Glanmire Road with initial prices for 2, 3 and 4-bedroom homes from €250,500 to €305,000.

Under the Housing for All targets, delivery of Affordable Purchase homes through the Local Authority Affordable Purchase Scheme will be scaled up and implemented across more Local Authorities with a wider selection of homes as soon as practicable.

The First Home shared equity scheme acts in a similar way to the Local Authority-led scheme, though it will apply to homes purchased through the private market, and is available to eligible single applicants, as well as those applying under the Fresh Start principle. The scheme was launched on 7th July 2022 and, subject to eligibility criteria, application assessment, and terms and conditions, it can provide funds up to 30% of the value of the property (or 20% if you use the Help to Buy scheme). The minimum share is 2.5% of the property purchase price, or €10,000, whichever is higher and the scheme is subject to property purchase price ceilings based on the local authority area in which the property is located.
Specifically for households seeking to purchase homes in Cork City, the price ceiling is €475,000 with a higher price ceiling of €500,000 for apartments. For households seeking to purchase homes in Cork County, the price ceiling is €425,000. Full operational details of First Home scheme are available at the following link:

https://www.firsthomescheme.ie/

The Housing for All strategy also introduced the Local Authority Home Loan scheme as a successor to the Rebuilding Ireland Home Loan. The new Local Authority Home Loan commenced on 4 January 2022 and will support first-time buyers and fresh start applicants buying new or second-hand homes, as well as self-builds. The scheme is suitable for eligible single applicants whose gross annual income is less than €70,000 nationwide. More details on the Local Authority Home Loan scheme are available on the following link:

https://localauthorityhomeloan.ie/

.....

For those more suited to renting a home, the Housing for All strategy also introduced Cost Rental tenancies as a new form of long-term sustainable home rental. It is targeted at households with incomes above the social housing limits, but who cannot afford to purchase or rent their own home on the open market. Cost Rental provides tenants with secure tenancies in sustainable, long-term homes. Under the Cost Rental model, rents for homes are set to cover only the cost of financing, building, managing and maintaining the homes. State subventions can be used in order to reduce the initial capital cost and make this starting cost rent more affordable. Importantly, one of the conditions of this scheme is that households must have net income (i.e. the level of income after tax) of less than €53,000. Citizens Information provide Cost Rental information at the following link:

https://www.citizensinformation.ie/en/housing/renting_a_home/cost_rental_housing.html#l4bb29

In addition, the Croí Cónaithe (Towns) Fund was launched on 14 July 2022 and makes grants of up to €30,000 available for the refurbishment of vacant properties in towns and villages across Ireland for occupation as a principal private residence. This includes the conversion of properties which have not previously been used as residences. Where the refurbishment costs are expected to exceed the standard grant, additional funding of up to €20,000 may be available when the property is confirmed to be derelict. Full details of the scheme, including the application form, are available at:
https://www.gov.ie/en/publication/c2183-croi-conaithe-towns-fund/#application-form
Croí Cónaithe (Towns) also includes the Ready to Build Scheme (Serviced Sites for New Homes), under which local authorities will make serviced sites available in towns and villages at a discount on the market value, to individual purchasers for the building of their home. Further information is available at the following link:
https://www.gov.ie/en/publication/33209-ready-to-build-scheme-serviced-sites-for-new-homes/

The Help-to-Buy scheme also supports first-time buyers in meeting the deposit requirements for newly-built houses or apartments, as well as self-build homes. Subject to the level of income tax and DIRT paid over the previous 4 years, the Help-to-Buy scheme provides a maximum benefit to first-time buyers of €30,000 or 10% of the cost of the newly constructed home. The Help-to-Buy scheme has already helped over 37,000 first-time buyers achieve the deposit required for a new home.

Lastly, it is important to note that applications for social housing support are assessed by the relevant local authority, in accordance with the eligibility and need criteria set down in section 20 of the Housing (Miscellaneous Provisions) Act 2009 and the associated Social Housing Assessment Regulations 2011, as amended. Amendments in respect of eligibility for social housing supports were made in December 2022 which increased baseline income thresholds, with the threshold in Cork City increased by €5,000 to €40,000 per annum net. This baseline figures would be adjusted to reflect the number of children in each household.

I hope this information sufficiently illustrates the range of supports being implemented to support affordability-constrained individuals and families wishing to purchase their own home.

Yours Sincerely

p.p

Niamh Redmond
Private Secretary

Coimisiún na hÉireann um Chearta
an Duine agus Comhionannas
Irish Human Rights and Equality Commission

9 January 2023

PRIVATE AND CONFIDENTIAL

Emmett Corbett

Cork

By Registered Post

Our ref: COR002/0001

Re: Your Application for Legal Assistance

Dear Mr. Corbett,

I refer to previous correspondence in relation to your application to the Irish Human Rights and Equality Commission for legal assistance.

You have submitted a large volume of documents and sought legal assistance in relation to a number of legal issues. The key areas identified by the Commission include bringing appeals against two decisions of the Supreme Court, bringing complaints against the Garda Síochána Ombudsman Commission ("GSOC") and the Legal Services Regulatory Authority ("LSRA"), and challenging a decision by Cork City Council to refuse your housing application.

As Head of Legal, I have been authorised by the Commission to exercise its functions in relation to the provision of legal assistance.

The Commission has considered your application in light of the criteria for granting such assistance prescribed by section 40 of the Irish Human Rights and Equality Commission Act 2014.

I regret to inform you that the Commission has decided not to grant you legal assistance, on the grounds that the matters which you have raised do not raise a 'question of principle' for the purposes of section 40(4)(a) of the Irish Human Rights and Equality Commission Act 2014. Furthermore, in the case of your complaint against the LSRA, this is a private law matter which does not fall within the categories of proceedings in which the Commission may provide legal assistance.

The reasons for the Commission's decision are as follows:

- Your proceedings against the Broadcasting Authority of Ireland and the Director of Public Prosecutions have been determined by the Supreme Court and these

16-22 Sráid na Faiche,
Baile Átha Cliath 7
16-22 Green Street, Dublin 7

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Idirlíon/Web www.ihrec.ie
@_ihrec

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cases have concluded. The decisions of the Supreme Court are based on existing law and any attempts to further reopen these matters before the courts will fail. Accordingly, as the facts that you have disclosed do not establish a strong case that is likely to succeed in further proceedings, having regard to s40 and the Guidelines on Applications for Legal Assistance, these matters do not raise 'a question of principle';

- In relation to your complaint to GSOC and your housing application to Cork City Council, the appropriate legal mechanism available to you would be to apply to the High Court to judicially review the decisions of these statutory bodies. However, the time limit for seeking a judicial review has long expired for both matters and accordingly, on the basis of the information provided, the facts as disclosed by you do not establish strong cases that are likely to succeed. Therefore, having regard to s40 and the Guidelines on Applications for Legal Assistance, these matters do not raise a 'question of principle'; and

- In relation to your complaint to the LSRA, this is a private law matter that falls outside the remit of s40.

This preliminary decision not to grant you legal assistance will become final on the expiry of 28 calendar days from the date of this letter, unless appealed to the Director of the Commission.

Should you wish to bring an appeal, you must do so within 28 calendar days of the date of this letter, by giving notice in writing to the Commission. Written notice may be furnished by post addressed to the Legal Team, Irish Human Rights and Equality Commission, 16 – 22 Green Street, Dublin 7, or by email to legal@ihrec.ie.

For further information in relation to appeals, I would refer you to the Commission's Guidelines on Applications for Legal Assistance which have previously been furnished to you (at paragraphs 26 – 32).

I do appreciate that the Commission's decision not to grant legal assistance will be disappointing for you. Unfortunately the Commission may only provide such assistance where the relevant statutory criteria are met. I would stress however that this does not mean that the Commission does not recognise the seriousness of the issues raised for you.

Lastly, if you wish to have the papers which you submitted to the Commission in support of your application returned to you, you might contact the Commission's Legal Team on **(01) 858 9601** to discuss arrangements for doing so. Alternatively, they will be destroyed within 24 months of the date of this letter in line with the Commission's Data Privacy Information Notice, which is available on our website.

Yours sincerely,

Michael O'Neill
Head of Legal and Information

No signature due to remote working arrangements

Seirbhís Phríosúin na hÉireann
Irish Prison Service

Mr Emmett Corbett
[redacted]
Co Cork

IPS/ 103 / 2022 - Freedom of Information request.

Dear Mr Corbett,

I wish to refer to the Freedom of Information request and your subsequent letter querying the violent offence and special features markers. Apologies for the delay in responding to you.

I can confirm that the offences used on our committal system are an exact replicate of the Central Statistics Office (CSO) and we take our offence groups from their system which is called Irish Crime Classification System (ICCS).

The offence for which you were committed to prison: **Threatening, Abusive, Insulting behavior in a public place**, attracts an automatic **violent offence** flag on our computer system. This in turn creates a **special features** flag.

According to our records you have only served time in Limerick Prison. I have attached a copy of your committal warrant which states that you were committed to Limerick Prison on 23 October 2005 and therefore we are unable to address your query in relation to your whereabouts on 22 October 2005.

Any queries in relation to the detention of a person by An Garda Síochána should be referred directly to them.

Yours sincerely

Emer Kelly

Emer Kelly
Operations Directorate
Irish Prison Service
1 November 2022

Páirc Ghnó IDA, Bóthar Bhéal Átha na Lao, Co. an Longfoirt, N39 A308
IDA Business Park, Ballinalee Rd., Longford, N39 A308
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www.irishprisons.ie

A61 THREATENING/ABUSIVE/INSULTING BEHAVIOUR IN A PUBLIC PLACE Schedule B 025,r2(a) + 025,r,7

PULSE: 157067.

AN CHÚIRT DÚICHE THE DISTRICT COURT

District Court Area of CORK CITY District No. 19

WARRANT OF EXECUTION
(To Commit in Default of Payment of Penalty)

PROSECUTOR: The Director of Public Prosecutions at the Suit of Garda MICHAEL P MORRIS
Barrack Street - Cork

WARRANT NO. W:2005/33530

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***************************
* Fine     EUR100.00
* Comp     EUR0.00
* Costs    EUR0.00
* Total    EUR100.00
* Case No  S:2004/109700   1
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Accused: EMMET CORBETT, [redacted] CORK

Whereas upon the hearing of a complaint that the above-named accused On the 23-Jul-2004 at GRAND PARADE, CORK a public place, in the Court Area and District aforesaid, did use or engage in threatening, abusive or insulting words or behaviour with intent to provoke a breach of the peace or being reckless as to whether a breach of the peace might have been occasioned.
Contrary to section 6 of the Criminal Justice (Public Order) Act, 1994.

The COURT on the 11-Mar-2005 at Cork Court No.1 District Court Courthouse Anglesea Street Cork City Co Cork in District No. 19 in the District Court Area of CORK CITY convicted the above named accused of the said offence and ORDERED that he/she pay for fine the sum of EUR100.00 to be paid within 60 clear days and in default of payment that the said accused be imprisoned for the period of 5 days unless such last mentioned sum be sooner paid.

AND WHEREAS the said Order has not been complied with

THIS IS TO COMMAND YOU to whom this warrant is addressed, to lodge the accused EMMET CORBETT of [redacted] CORK in the Prison at Limerick Prison, to be detained by the Governor thereof for a period of 5 days unless such last mentioned sum be sooner paid.

The sum levied to be paid to the Clerk, for the district court area aforesaid.

This warrant to be executed within 6 months.

To: The Superintendent of the Garda Siochana
Anglesea Street - Co

Signed: Uinsinn mac Ruairc
Judge of the District Court

Dated this 28-Jun-2005

541996

Person Pulse ID: [redacted]

Seq: 174840/68

To Be Continued………?